FEDERAL DRUG LAW ENFORCEMENT AND INTERDICTION

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

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FEDERAL DRUG LAW ENFORCEMENT AND INTERDICTION

TUESDAY, MAY 22, 1984

House of Representatives,
Select Committee on Narcotics Abuse and Control,
Washington, DC.

The select committee met, pursuant to call, at 9:15 a.m., in room B-318, Rayburn House Office Building, Washington, DC, Hon. Charles B. Rangel presiding.

Present: Representatives Charles B. Rangel, James H. Scheuer, Daniel K. Akaka, Solomon P. Ortiz, Lawrence J. Smith, Benjamin A. Gilman, and Duncan Hunter.

Staff present: John T. Cusack, chief of staff; Richard B. Lowe III, chief counsel; Elliott A. Brown, minority staff director; George R. Gilbert, counsel; Edward H. Jurith, counsel; Michael J. Kelley, counsel; Martin I. Kurke, researcher; James W. Lawrence, minority professional staff; and Marc R. Lippman, counsel.

Mr. Rangel. My sincerest apologies, Mr. Chairman, but the staff had not informed me that the hearing had been changed from 10 to 9, and, so, without going into my opening statement, I think I would——

Mr. Pepper. You go right ahead, Mr. Chairman. You go right ahead with your—you go right ahead with your opening statement.

Mr. Rangel. Today, the Select Committee on Narcotics Abuse and Control will be hearing about the operation and effectiveness of Federal drug enforcement interdiction efforts, and, hopefully, some of the statements that we have rendered will indicate some of the changes in communication between the Drug Enforcement Administration as well as the Treasury Department and the Justice Department so we can clear up exactly who is in charge.

Certainly you, Mr. Chairman, and with the work of a couple of deputies, are trying to find out who's in charge of this administration as relates to international crime, law enforcement and whether it's Democrat or Republican, it's very difficult to determine who really has the responsibility.

Recently, we read a memo from the Drug Enforcement Administration saying the National Narcotic Border Interdiction System is not working, that it's fraudulent and it's puffing up the accomplishments, and it appears that there is some question as to who is in charge of what. Congress does have a responsibility to come forward.

I'm extremely pleased that, notwithstanding the fact that you have championed the cause of the aged and certainly assumed new responsibilities in terms of our leadership here in the House, you have never strayed away from your concern as to what this curse is doing to our country and certainly your State has been hit and has been hit hard.

And, as a matter of fact, your testimony doesn't cover it but your State has been used as an example of how successful the Federal Government can be with its various task forces.

[The full statement of Mr. Rangel appears on p. 129.]

TESTIMONY OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. **Pepper**. Mr. Chairman, I thank you very much for your kind words.

I remember very vividly the time that I was chairman of the House Select Committee on Crime, and you were one of the most important and influential members of that committee.

And, with the many hearings we had in New York, when we had Carter of New York as our principal witness, and he showed us many pictures of young people dead with syringes in their arms. They had taken heroin and shots and the like.

So, this problem continues to plague us, and I was delighted when you became the chairman of this committee because, knowing of your energy and your wisdom and your dedication to this subject, I knew if anybody could do anything about it, you would.

I'm very grateful, therefore, Mr. Chairman, to be with you this morning. I'm keenly aware, as you are, about what this means to our country, an effective effort to interdict drugs coming into us from out of our shores.

In the war on drugs, we are seeing a "Tet offensive" in south Florida right now. I have come across some recent statistics which document the horrifying impact that the growing availability of cocaine is having on our community.

The number of deaths attributable to overdoses of cocaine quadrupled during the second half of 1983 as compared to the first half of the year.

Cocaine use accounts for 90 percent of all admissions to Dade County drug treatment programs, up from 30 percent last year.

Street drug samples submitted for laboratory analysis are showing that the quality of the cocaine now has improved. The cocaine is cut less frequently and adulterants appear less often.

The wholesale price of cocaine has declined from $30,000 to $15,000 in the last year.

It has recently been estimated that 18,000 flights per year smuggle narcotics into the United States. Last year, only 203 seizures were made. That means only 1 percent of the drugs which are smuggled in by air are interdicted. Combine this with the fact that almost one-half of the drugs smuggled from Latin America are smuggled in aboard small, private planes, and it becomes quite obvious that our nation's air interdiction program is totally inadequate.

The rest of the drugs entering our nation from Latin America come by sea. The marine interdiction rate by the Coast Guard in international waters is less than 30 percent and Custom's marine interdiction efforts within our territorial waters is practically nonexistent. In fact, I have been told by customs officers in Miami that smugglers can bring their vessels into south Florida without fear that they will be searched or even seen by a customs inspector.

Boat captains are supposed to telephone upon their arrival and report cargo to the customs officers in Miami. The Customs Service, as you can imagine, seldom gets calls from drug smugglers who wish to report million dollar shipments of illegal narcotics.

This is what the Reagan administration calls law enforcement. I call it a dangerous delusion. In sum, of all the illegal drugs that are smuggled into the United States, only 16 percent of the marijuana and only 10 percent of the heroin, cocaine, and other dangerous drugs are seized.

This is a national tragedy and, therefore, is absolutely no excuse for it. Mr. Chairman, may I just interject to say that our administration has been very outspoken and very strong in its advocacy of national defense, the security of our country being protected.

This is a terrible, deadly invader, invading our country constantly. We have called for policies on the part of our Government to stop that kind of invasion of our country, causing death and tragedy in our land.

The war on drugs can be won, but this administration refuses to provide the resources needed to adequately expand and staff existing drug interdiction efforts or to implement programs which have been successfully tested.

The administration has been so generous and so insistent upon wide latitude in the defense expenditure, I can't understand why they are so picayunish, as it were, so impecunious, in respect to the amount of money that goes to interdict the drugs that are being brought into our country.

The United States does possess the expertise and the technology to win the war on drugs now. Two vital types of programs needed are effective air interdiction and marine interdiction systems.

In regard to air interdiction, there are three components needed for a successful program: detection of smugglers' aircraft, the capability to track these aircraft, and the ability to have law enforcement officials at the landing site, in order to apprehend the drug traffickers when they arrive.

The administration clearly is not committed to an effective air interdiction program. They wanted to cut $18 million from the Customs' Service Air Interdiction Program. Fortunately, the Treasury Department, after a great deal of congressional uproar from this committee, myself and others, has restored $15 million to this line item.

And, only yesterday, a representative from the Vice President's Office was in to see me, telling about some of these restorations that are being made.

Also, the Senate Federal budget year 1985 appropriations bill will provide a budget of $45 million. In a supplemental fiscal year 1984 appropriations bill presently waiting final action, $25 million is included to buy eight drug interceptor planes.

Thanks to the legislative branch, Customs will now be able to double its existing fleet of interceptors. We now must convince the Defense Department to loan additional Black Hawk helicopters in order that law enforcement officials can arrive at the landing site simultaneously with the drug smugglers. I now believe that the air interdiction program will begin to have a major impact in curtailing the inflow of illegal drugs.

Turning now to marine interdiction, the Coast Guard is charged with the responsibility for stopping all marine trafficking of illegal drugs. The method presently utilized is totally ineffective, given the magnitude of the problem.

In the Caribbean Sea, they now use radar surveillance from nine patrol cutters complemented by periodic aircraft overflights by four C-130's. These nine cutters and four planes must detect drug smugglers coming from Latin America to the United States.

They are supposed to detect and interdict drugs in a vast geographic area, which includes the Yucatan Channel, the Windward Passage, and the Mona Passage.

I am very enthusiastic about the MIST [marine interdiction and surveillance team] program in which the Coast Guard has just completed a very successful test.

Through the suspension of an aerostat radar system from a ship, the Coast Guard can dramatically increase its surveillance capability, just putting up a balloon as it were, Mr. Chairman and members of the committee.

The coverage is ten times that of the present method employed.

Now, the Coast Guard has the knowledge and the technology to significantly reduce the inflow of illegal drugs by keeping the ocean routes under total surveillance. The days of hit and miss finally can be put behind us.

The Coast Guard can now dispatch boats directly to intercept a suspicious target. The utility of the nine cutters will increase greatly. The only obstacle to its implementation is this administration.

I am fearful that due to budgetary considerations, the administration may choose not to implement this program. It is my opinion that this program, in the long term, will be more cost effective than the present system, and will have a dramatic effect on reducing the inflow of drugs.

I urge this distinguished committee to look into Operation MIST and support congressional funding. Eight MIST teams are needed.

Two to provide surveillance along the Atlantic coast, two to provide surveillance along the Pacific coast, and four to provide surveillance in the Caribbean Sea, especially at the choke points, the Yucatan Channel, the Windward Passage, and the Mona Passage.

It is estimated that each unit will cost approximately $5 million in the first year of operation and $2 to $3 million a year afterwards. Three units need to be implemented as soon as possible to keep surveillance of the choke points. The others can be implemented over time.

The Customs Service has also successfully tested their own marine interdiction system. They requested $8.62 million for fiscal year 1985, but OMB refused to fund this program. They had worked out this test out there in the Caribbean where they had proven that they could be more effective in interdicting, and they were proud of their discovery and asked the Government for $8 million to add to these—the things that they needed, lo and behold, they were not only turned down on getting the $8 million, they cut $14 million off of what they had already been given.

The funds would have been used to set up 10 marine patrols, 2 based in Miami, and 1 each in Fort Lauderdale and Key West, in addition to other cities on the east and west coasts.

It is my hope that this committee will use its great influence to see that this program is implemented. Customs believes that these modules will significantly reduce the level of smuggling by vessels.

May I just add, Mr. Chairman, this surveillance system that the Coast Guard wishes to implement and will make formal requests at another date for the means to implement, I have reason to believe that they are fearful that the Office of Management and Budget may not approve of their request.

What they would do is have these balloons, as it were, sent up in the air over ships and located at strategic places, sort of like a satellite being up in the air, and, they, by the use of that balloon, as it were, they can tell when a ship leaves Colombia, leaves some place in South America.

Well, they watch that ship as it comes along. Now, they tell me that it's come to be customary for Cuba, in its cooperation with the drug smugglers, to allow these smugglers to come in to the inland waters of Cuba and come around Cuba in the inland waters of Cuba so they won't be liable to our detection or interdiction.

Then, they watch them, having seen where they came from, and watch their behavior and then when they see them go into that interterritorial waters of Cuba, that confirms their suspicions, then when they come out again, why, they are in a position to try to intercept them shortly thereafter.

So, it's a wonderful system, yet very simple in its scientific significance.

I am sure, therefore, that if the above interdiction systems are given a high priority, the number of customs inspectors are not drastically reduced, and if the National Narcotics Interdiction Border System can resolve its communication problems between the various agencies, then the war on drugs can be won.

Let us all join together and give our support to your great committee in urging that this implementation take place.

Mr. Chairman, the only thing, you know, I used to tell a little story on the stump, that on a Saturday afternoon, they would have a melodrama performance, and in that melodrama performance, the fellow was supposed to get drunk and shoot at the hero and say—then the hero was supposed to throw his hands to his stomach and break some red ink and when the red ink came out, he'd say my God, I'm shot.

Well, one night, the villain got drunk and instead of using an unloaded pistol, blank cartridge, he had a loaded pistol. And, he made the usual gesture and aimed it at the stomach of the hero, fired away, and the hero started saying the customary way, my God, I've been shot, looked down, saw real blood coming out, and said, my God, I am shot. And, we just want these people to really get interested and really to become determined to do something about drug interdiction, and they can do it.

Thank you very much.

[Complete statement of Mr. Pepper appears on p. 132.]

Mr. **Rangel**. Senator, we appreciate your sharing your views as to how we can be more effective as a nation in combatting drugs.

But, in listening to you and in reading your testimony, I get the impression that the coordinator of our drug enforcement effort is OMB.

Mr. **Pepper**. That's exactly right, Mr. Chairman. It's the OMB that's been running the drug program, not the Coast Guard or the Customs or the Navy or the Vice President or anybody else.

Mr. **Rangel**. Based on your experience and from what you have read and what you understand the administration is trying to do, who would you guess we ought to go to in the administration to talk about it?

Should we go to Mr. Meese, Mr. Smith, or go to Mr. Mullens or Vice President Bush? I mean, is Secretary Schultz involved in this, or do we take it to the United Nations? I'm confused and I've been here 14 years, you've been here a lot longer.

Who is in charge of this? Assuming that the committee agree that you were right and that Congress just wanted to make certain this is what the executive branch would want, who would we discuss it with?

Mr. **Pepper**. Well, you know, that's a problem we constantly face around here, Mr. Chairman. Of course, the truth of the business is that the White House bears the primary responsibility for the performance of the executive branch.

But, they divided up, they distributed up. Yesterday, two very fine representatives came speaking for the Vice President. I had made some remarks on the previous appearance about some of these things, and they wanted me to know that the Vice President wasn't personally responsible. He tried his best to—he didn't have any appropriation for this overall program of his, to try to coordinate, and—but, he was making progress.

Mr. **Rangel**. But, then would the Vice President without staff or money, would he come under Dr. Carlton Turner then?

Mr. **Pepper**. Well, the truth of the business is that the Government of the United States is the one that's responsible and the only thing I can suggest is that we might call the Director of OMB or call and ask the President, would he designate somebody to speak for his administration so he can coordinate the effort and affix the responsibility somewhere.

And, if we don't agree that they are using the degree—the degree of emergency to this program that it deserves. There are people today, the increase in the death rate in my county, in my district, from drugs that are brought in under these programs that are supposed to interdict them.

And, I think you'd be justified in writing the President a letter, saying Mr. President, this is the problem we are very much concerned about and we are having difficulty to place the responsibility, we want to step up the interdiction programs and the effort to interdict these drugs. Will you please designate somebody to speak for your administration so somebody can correlate the whole administration's efforts on this thing?

And, somebody with authority.

Mr. **Rangel**. Well, because of what we read in the newspapers, I asked staff to see whether or not we could get someone from the

National Narcotic Border Interdiction System and I don't know whether the staff understands this, but they tell me that you have more experience being the chairman than I have, they won't testify but they will brief me.

What does that mean?

Mr. PEPPER. Well, it looks to me like, and I have some reason myself to believe that from this interdiction case that I put, that the Coast Guard is not very sanguine about getting in enough help to put in its new techniques that they have developed, and what can they do? They just got to accept being turned down.

Mr. RANGEL. You've been in Florida, and you've seen the problem just multiply in terms of heroin and cocaine, you have seen the corruption in law and order, is the task force—have you noticed a decrease in cocaine, a decrease in drugs on the street, a decrease in crime in——

Mr. PEPPER. They think there is, Mr. Chairman, but we don't find evidence there is. As I stated here in the early part of my statement, we find evidence that the price is declining, the quality is high, and it looks like the flow is very good.

Mr. RANGEL. And, your law enforcement officers, the local people, that you meet with, do they tell you that they have a partnership with the Federal Government? Are they working together toward resolving this issue?

Mr. PEPPER. Well, I'll tell you, if the Vice President—I don't know what his authority is. I'm afraid it's just a sort of a loose coordinating. They wanted the Vice President to use his prestige and all that, his ability as a fine man, to try to get them all to coordinate, but he should have top authority, enough authority to get something done.

And, if he—he ought to have authority to say Mr. President, we need some more money. These programs are good programs. They are proven programs that will gain effectiveness in interdiction. Why not use them? They are going to cost but a few million dollars.

My goodness, $1 million would be lost on 1 kilo of the Defense Department, you know. And, yet, now, we're saving lives and endangering—in the courts of Dade County, the U.S. attorney, Mr. Chairman and members of the committee, came and spent an hour with me in my office in Miami recently, begging to get two new judges for the U.S. district court in Miami, pointing out that we are so far behind with the prosecution of cases on account of the drug traffic, that those courts have to deal with, that the courts are clogged. Tragic. Can't you just get us two new judges?

Well, all that costs money. All these prosecutions cost money to the Government. Every time you pick up a Miami paper, you see somebody killed almost. Most of these are fights over drugs. Somebody claims he hasn't had a fair deal or didn't give him what his share was or something like that.

So, there is death, death in the hospitals, enormous public expense, increased lack of safety in the public domain and the like, and they are allowing our country to be invaded by dangerous fold, and they are not responding adequately to that invasion.

That's what I'm saying.

Mr. RANGEL. Senator, then the administration and the various agencies would tell this committee that their greatest successes have been in Florida.

Mr. PEPPER. There are people down there—they have increased the number of their interdictions in some cases. But, the supply does not seem to diminish. It seems to come right on in, and the best evidence of it is the quality remains very high and the price is going down, and the number of deaths is increasing.

Mr. RANGEL. We will continue to try with your help.

Mr. Ortiz?

Mr. ORTIZ. Senator, is it possible that sentencing by the judges has a lot to do with the price of drugs going down?

Do you feel that the sentencing being handed by the judges in Florida is adequate?

Mr. PEPPER. Mr. Ortiz, I can't answer that question. I think the judges ought not to be lenient, and but I don't— I haven't made a critical examination of the punishments.

I thought generally the judges have been pretty severe. They confiscate a great deal of property, anything that's related to the drug transaction. They translate—they confiscate and they are bearing down on the bank.

Every now and then, you'll find a bank that's violating a law by laundering some of this drug money. Now, a new trick they have developed, they are developing, is buying property. In other words, they will come and buy property at an enhanced price, at an inflated price, as a way of using the money.

But, with the condition that the seller will accept cash. So, that's another new hitch that they have developed lately through the use—they get so much of it that it's a problem for them to launder it well enough to be able to use it.

Mr. ORTIZ. Sometimes, Mr. Chairman, law enforcement officials have encountered some problems—for example as an ex-law enforcement official, sheriff of my county, when I went before my board to ask for more manpower and more narcotic officers, the first thing that they would ask me was what are you going to do when we arrest all those people? We are not going to have enough room in the jail.

We are going to need more prosecuting. We are going to need some more Federal judges, but I feel that the time has come, even if it costs money, that we are going to have to do this because I see it as a cancer that continues to spread out in our society. We used to work very closely in Miami with the Coast Guard. Sometimes they would like to go out and do their job; they just don't have the manpower. They don't have the equipment; and you stated it very well when you said the Office of Management and Budget is running the show.

And, I believe that, hopefully, something can be done just like the chairman asked, to change this around because we are going to fall from within if this continues in our society.

Mr. PEPPER. Yesterday, yesterday, these representatives of the Vice President told me that they were going to try more airplanes and try to interdict more by planes.

Well, so far, the interdictions have only been about 1 percent of the amount that's coming in. About 30 percent are coming in by ship.

But, if they can use these techniques that I was talking about, why, they can spot a ship by the time it leaves, say, a Colombian port, and spot it, follow it right along wherever it goes, and, otherwise, they're just criss-crossing one another like searching in the night for something.

Mr. ORTIZ. Yes, sir. I do agree with your statement wholeheartedly, and I want to be of help. Maybe when the panel comes up, we can ask them for advice on what can be done.

But, I believe, and I am very concerned that we are losing the war on drugs.

Thank you for your statement.

Mr. RANGEL. We have recognized that your questions may be protected by executive privilege.

Mr. ORTIZ. Yes, sir.

Mr. RANGEL. We'll do the best we can, though.

Mr. Akaka.

Mr. AKAKA. Thank you very much, Mr. Chairman.

Senator, your statement was excellent.

Mr. PEPPER. Thank you.

Mr. AKAKA. You point out some of the major concerns of the bureaucracy. I had the opportunity to visit Florida, I think it was in 1978. Florida was in the depths of a terrible problem. Drugs were coming in through Florida into the United States.

And, really, it was after that that the importance of drug interdiction was taken up by President Carter and President Reagan.

My question to you is since that time, have you detected any improvement in the drug problems in Florida?

Mr. PEPPER. My friend, we don't find any evidence of it. As I said, the deaths in our hospitals from the use of cocaine have increased, I believe, 30 percent. We have the lowest price of the drug, and we don't see it. They have caught a lot, but my goodness, it's just a small part of the enormous volume that is coming in.

I think they sometimes—they'll have it in the paper about catching so many tons of this, that or the other, but that's wonderful, but my goodness, that's only, on the whole of the air imports, only 1 percent that's been discovered so far.

We don't find that they've really made much of a dent in the interdiction of the drugs. Now, what will happen now from the new efforts of the President of Colombia with respect to his own country, of course that's the best way to stop it, is to get them to stop it at the source, and I think our Government should use all the pressure we can to encourage and support the Government to take a strong stand with respect to covering its own exports of drugs. That would be the best way to stop it.

I was in Peru the early part of this year, and the President down there, President Belaunde Terry, was doing everything he can to stop the movement of some plants from one of the provinces in Peru up in the mountains into Colombia, and then from there, on up into the United States.

They are cooperating with us very favorably our people tell me.

But, the problem is so big, the trouble of it is, Mr. Akaka, the Government of the United States has not really put its teeth in this thing. If the Government of the United States determines to stamp this thing out, it can do it.

We've got an awful lot of power, and we've got a lot of ships and a lot of planes and a lot of techniques. If the President of the United States could be supported by the Congress, if it takes $100 million more than we're spending, we're going to stop this thing, we're going to break its back.

If he'll do that, we can do it, but they won't do it. They treat it as if it were a request for an increase in the budget for some sort of a purpose that has some desirable—public welfare significance, but not critical.

This is critical. Our country is being invaded, and they don't seem to realize it. They are so sensitive about our national security, but our own citizens are being killed or dying as a result of the invasion that's coming into our country, and they just think they haven't gotten around, they take it more as a matter of fact.

Yes, we've got the drug problem, I guess we'll always have it, we are tightening up some, and we're putting some more ships on alert. They fail to say we're going to stamp it out. We can do it.

Mr. **Akaka**. Senator, I appreciate your remarks. Senator, with the able leadership of Charlie Rangel, this committee has collected much information on the drug problems, not only in this country but in the world. We are looking seriously at the enormity of the problem as you have pointed out.

As you noted, and I fully agree, we are in fact fighting a war on drugs. We need to collect our forces of Government, of the Congress, and we need to fight it tooth and nail, as you pointed out, with a new effort.

We should also consider seeking help from our armed services. How do you see the use of the armed services in this fight?

Mr. **Pepper**. I don't think they have been used adequately at all. For example, in the earlier stages, I don't know whether they still are doing it or not, but when they put the Coast Guard people onto this drug interdiction program, they took them away from other parts of the United States.

They didn't have personnel. They have been reducing personnel. Are they still reducing the personnel? They are still reducing the personnel some. So that's another indication that they are just not making an out and out effort to stop this terrible invasion of drugs.

Mr. **Akaka**. Well, thank you very much, Mr. Chairman.

Mr. **Rangel**. Mr. Scheuer?

Mr. **Scheuer**. Thank you very much, Mr. Pepper, for your very brilliant and thoughtful statement—the kind of statement we have come to expect from you, the kind of statement that you, with your wisdom and your insight, will justify its effect.

You indeed painted the picture that much of us feel on this issue. There is an incredible effort being made out there in law enforcement, but still in terms of the actual flow of drugs into the country, there seems to be very little diminution.

And, in fact, since I have been on this committee, which has been since the day it got into business under the chairmanship of the distinguished Mr. Rangel, I think the figures have shown that never at any time in that entire period of over a decade, have we intercepted as much as 10 percent of the drugs that have crossed the border.

There's always been a fractional part of 10 percent. So, always, more than 90 percent of the drugs that have been sent across the border have crossed the border and end up on city streets and in the arms of our kids, our most valuable and cherished asset for the future.

So, I think if you look at the success of leaning on the supply end of the curve, you'd have to say our efforts have not been successful, and I personally think that we ought to do more on the demand end.

We can't let up on the supply end. Of course we can't. We can't let up one jot or tittle, and we've got to have more planes and more boats out there, and a tougher surveillance system and a tighter net to stop this stuff from coming in.

But, at the same time that we are doing that, realizing that we're getting less than 10 percent of what is sent across the border, and that over 90 percent arrives in our cities, it seems to me that we ought to be doing more in drug education, drug prevention, treatment of all kinds and research of all kinds to find better means of educating our young people, better means of treatment, better means of detoxification.

And, it seems to me that here, too, is an area where vastly increased resources ought to be spent. And, as one of the most respected and revered Members of Congress, can you out of your wisdom and sagacity, give us an opinion as to whether on the demand side, too, we shouldn't be looking, we shouldn't be searching our brains and cudgeling our minds as to how best we can reduce the demand and teach the kids of America that life is a high, and that these artificial highs spell doom, death and destruction to them?

Mr. **Pepper**. I couldn't agree with my distinguished friend more as to the importance of education.

As I said a moment ago, I don't recall whether it was before you arrived, I remember when we had a hearing in New York and we had the coroner of New York as our principal witness, and he showed us many pictures of young men and women who were dead with a syringe in their arms from heroin, had died from an overdose or something.

Look at the problem. I was thinking about it this morning. Suppose a youngster gets addicted to heroin or cocaine. Imagine, unless they are rich and most of them are not, of course, imagine how many robberies or burglaries they have to commit a day to maintain that expensive habit. Hundreds of dollars a day it costs to buy that stuff. Of course, they've got to plan the robbery, where they are going to go or where are they going to try to get it without getting caught and the like.

And, then, the more they get caught, then they get the goods and then they got to get them a fence, I guess, and they got to sell them and then they get the money, then they got to go to that dealer and then get that dope or whatever it is.

Imagine what a load it puts every day upon the life of that young man or woman who has become unhappily addicted to the use of drugs.

Remember back in our days, we were—there was some substitute for heroin. I've forgotten what it was, that they could give and it would have the effect—I mean, it was a way of kind of getting them off of it——

Mr. RANGEL. Methadone.

Mr. PEPPER. Huh?

Mr. RANGEL. Methadone.

Mr. PEPPER. Methadone. That's what it was. The methadone. So, I thoroughly agree with you, everything we can do by way of education and help them get out of it and all that is enormously important.

Mr. RANGEL. You're a great man, Mr. Pepper.

Mr. PEPPER. Thank you, Mr. Chairman.

Mr. RANGEL. We appreciate it.

Mr. PEPPER. Thank you, Mr. Chairman. I'm delighted that your committee is doing what you are doing on this vital subject.

Mr. RANGEL. I'm sorry. We are now joined by the distinguished ranking minority member, Benjamin Gilman.

Mr. GILMAN. Thank you, Mr. Chairman.

Along with Senator Pepper, we were just with the President of El Salvador, and it was a little hard to break away.

We appreciate your continuing battle in this very critical issue, Mr. Pepper, and we recently, as you are aware, had a very important conference in south Florida with local law enforcement officials and some of the Federal officials, some of our Coast Guard people, and we, I think, we had a very instructive exchange of thinking between local officials and Federal and State officials with regard to a better exchange of information and with regard to dispelling some of the myths that have arisen.

For example, in regard to who obtains the assets after forfeiture, who gets credit for what type of interdiction and what type of enforcement effort that they may be involved in.

But, we recognize as a result of that conference, the need for a better coordination and better cooperation between the Federal agencies and local agencies, and your testimony today certainly highlights again some of these problems.

But, it's going to need the best of all of us, Federal, State, and local level, to confront this ever-growing menace into our population.

We thank you for your involvement.

Mr. RANGEL. Senator Pepper, thank you again for your statement.

Oh, I'm sorry. Larry?

Mr. SMITH. Thank you, Mr. Chairman.

I just want to commend the Senator on his statement. We share, of course, the same region of representation. Fortunately, as the Senator has indicated, the attack on drugs in our area has been greater than in most places in the country.

I want to commend Mr. Pepper for his statement because it points out something which is often misunderstood in this, and that is that a good game is being talked but there is no real substance behind the kinds of statements that are made.

The Senator points out in his testimony that there was $18 million cut from the original allocation for air interdiction; $15 million of that has been restored. What the Senator does not point out, maybe because he wants to be polite, and I don't know that I'm going to be that polite, is that that restoration didn't come back from where the money was allocated, which was in the Secretary of the Treasury's Office, but it came out of the IRS.

They took millions of dollars away from enforcement programs in the IRS, which net this government $7 or $8 for every dollar that's spent on enforcement. They didn't take it from where it was channeled off, and that's a mistake.

Having taken it out in the first place was a mistake. More than that, the Senator is aware because we have discussed this before, that the southern district, where our area lies, which is the largest single importation place in the United States for cocaine and marijuana, has been short in filling positions for the last numbers of years. Not just recently.

I had occasion 3 weeks ago to go out on a drug run with the Customs Service and the Coast Guard; 22 vacant positions have not been filled because there is no money to fill those positions.

Boats that are sitting there, which could be used, can't be used because, one, there is no money to fix the motors or anything else that goes wrong with them; two, they have no money for gasoline; and, three, they have no personnel to man the boats if, in fact, they were using them.

Well, this is ridiculous. Sure, we have, as Mr. Gilman has indicated, talked about changing the way we forfeit the kinds of drug revenues that are gotten by drug dealers. We confiscate properties. We have stepped up prosecution. We have done a lot of things, but one thing we haven't done, and I'm sure the Senator would concur, is we have not made a commitment at the front end to put in the large amounts of dollars that are absolutely necessary to interdict, that is to keep it from getting on shore. It is so much cheaper, as the Senator has told me time and time again from his years of experience, it's so much cheaper to keep the problem from getting in in the first place than it is to have to find them, prosecute them, and incarcerate them.

And, we could put the money up front, where it belongs, and I'm sure with the help of the Senator we can. I'm sure that some time in the future, we can anticipate being much more successful in the fight on drugs.

People here in the blue uniforms, the Coast Guard, have given us an awful lot of help, but we haven't given them the help that they deserve. The Customs Service, all of the other agencies that deal with it, and I would hope that the testimony by who I consider to be an American institution, Senator Pepper, will be of some help in pleading our case with the administration.

Mr. Pepper. Thank you for your able statement, my distinguished friend.

Mr. Rangel. Senator, we have one more member here.

Mr. Lewis?

Mr. LEWIS. Senator, I want to thank you for your testimony. You were abundantly correct in a number of areas.

I believe that we need a total commitment for this war on drugs if we are going to make any dents in it whatsoever.

We just recently had a conference on the problem of local law enforcement communication with the Federal agencies and vice versa in Florida, and have a temporary ad hoc committee working to try to cement that so that we can look at this for future hearings of this committee.

It appears to the members of the committee and staff that were at the hearing that we have at least made a dent into this problem that you so eloquently phrased in your testimony.

But, I believe that it is time that we do speak out. We need a commitment from the American people that we want to reduce or eliminate the drug problem in the United States, but we also must have it from the Federal Government itself as well as the local agencies.

And, I think your testimony is well timed, and I commend you for it, sir.

Mr. PEPPER. Thank you very much, Mr. Lewis.

Mr. RANGEL. Thank you, Mr, Chairman.

Mr. PEPPER. Thank you very much, Mr. Chairman.

Captain Schowengerdt, staff director, NNBIS.

Captain, are you a civilian?

Captain SCHOWENGERDT. No, sir. I'm active duty Coast Guard on detail to the Office of the Vice President.

Mr. RANGEL. Could you explain what staff has been trying to explain to me as to the difference between your testifying or briefing us?

Captain SCHOWENGERDT. Well, I'm sure there's some technical differences between the definitions of testifying and briefing. I would just like to say that I'm here to tell you all that I can about NNBIS, and to answer to the very best of my ability any questions you may have, sir.

Mr. RANGEL. Well, I know at the end of your testimony you'll take questions, so that sounds like regular testimony to me. I don't want to violate any privileges.

We've had the opportunity to read your statement, and one of the reasons why we're so anxious to talk to you would really be to clear up the scope of your responsibilities and what you're doing and perhaps to refute some of the accusations that have been made against the organization as relates to other agencies that you are supposed to coordinate.

And, so, to the extent that your testimony goes outside of the scope of that inquiry as it relates to the Federal strategy, unless, of course, you are privy to that strategy in terms of White House needs, this is where you can need a lot of help, as to who's in charge of the strategy.

But, to the extent that your testimony, your briefing, goes beyond the scope of the actual agencies, we would appreciate it if you could summarize that part, and then again, we would want you to proceed in a manner which makes you feel comfortable.

I notice in reading your statement that—comes perhaps beyond the area of national narcotics border interdiction system.

Captain **Schowengerdt**. Well, Mr. Chairman, I'll try to summarize what I can, but I think it's important to look at NNBIS in the context of the overall Federal strategy also in order to understand what NNBIS is, what it does, and, more importantly, what NNBIS is not, what its limits are.

Mr. **Rangel**. Well, I don't want to put any restrictions on you at all.

TESTIMONY OF CAPT. L.N. SCHOWENGERDT, JR., STAFF DIRECTOR, NNBIS

Captain **Schowengerdt**. Thank you, sir. I am happy to be given this opportunity to talk to you about NNBIS because I think NNBIS is important. I think it's doing some good things for the drug war in our country, and I think it's a good opportunity for us all to lay the structure of NNBIS out, talk about it, and be sure that we all know how the thing is structured.

It should be noted, I think, right at the outset that NNBIS is only one of several on-going administration initiatives by the President in his broad program to fight the Nation's war against illicit drugs.

The 1982 Federal strategy delineates five major areas of concentration. NNBIS falls into half of one of those areas. Three of them are aimed at reducing our national demand for drugs, which I think most of us have seen as the long term ultimate solution to the problem.

These are education and prevention, detoxification and treatment, and research.

The next element of that Federal strategy is the set of international initiatives to reduce the supply of drugs at the source, generally the overseas programs. These are coordinated by the Department of State, which receives extensive support from the Drug Enforcement Administration and the White House drug abuse policy office.

The primary focus in the international arena is illicit crop eradication augmented by crop substitution programs, and support to source and transit countries in improving their law enforcement programs.

The fifth element, the last one, but not last in priority necessarily, is law enforcement. NNBIS, the interdiction effort around our Nation's borders, is half of a complementary set in the law enforcement picture.

In January 1982, the President established the south Florida task force at the request of the citizens of Miami, who had watched criminal elements virtually take over and terrorize the Miami metropolitan area.

Vice President Bush was asked to head that task force and to organize a cohesive attack against drug traffickers and their organizations. The situation was critical; I think every one would agree that a major Federal law enforcement response was indicated.

In a brief period of time, additional Federal judges, more prosecuting attorneys, and hundreds of additional law enforcement personnel were assigned to south Florida. The Coast Guard was augmented in the region, and assistance was solicited and received from the Defense Department, including all of the services. Diplomatic initiatives were intensified with some of our Latin American neighbors in order to enhance the cooperative law enforcement effort.

Now, while success is frequently difficult to measure, I don't believe there can be any disagreement that the South Florida task force has had a major impact on criminal activity in that area.

The best measure of this is, I think, the new mood of optimism which is evident in Miami, as opposed to the pervasive fear, perhaps even despondency, prior to the task force's arrival.

We have by no means been 100 percent effective, and I certainly would not want to indicate that. South Florida remains even today the principle point of entry from source countries for marijuana and cocaine into the United States. That's a fact. And, therefore, our law enforcement efforts there will continue. They will not abate.

However, due to the intense pressure in south Florida, criminal organizations have begun to change their smuggling patterns, and I think it's important to see that. In response to this, President Reagan directed two new initiatives, that came out of the south Florida experience in watching what impact that had.

The first was the Organized Crime Drug Enforcement Task Forces, which were announced on October 14, 1982, as part of a major program headed by the Attorney General to combat the organizations which finance and control drug trafficking and drug distribution networks.

These organized crime drug enforcement task forces are now operational in 12 core cities throughout the country and achieving excellent results, especially in view of the short period of time that they have been functioning. And, I think you'll hear more from Mr. Lawn on those task forces and some of the precise accomplishments that they have made.

The second new initiative, to counter the diversion from south Florida, is the National Narcotics Border Interdiction System, which was created by the President on March 23, 1983.

NNBIS' task is combating drug smugglers at, and approaching the borders of, the United States. It is what its name says it is, it is a border interdiction system.

NNBIS commenced its coordination efforts in June 1983, with regional centers established in New York, Chicago, Long Beach, El Paso, and New Orleans. In addition, the south Florida task force center in Miami became an NNBIS center as well.

The south Florida task force remains, focusing on the specific needs of south Florida, both for interdiction and investigation of major smuggling groups. It has a much broader mandate in the south Florida area than NNBIS has around the rest of the country.

But, superimposed on it now is the NNBIS southeast region which covers a much larger geography than the south Florida task force.

The mission of our NNBIS centers is to coordinate the efforts to interdict the flow of narcotics into the United States, using all appropriate Federal resources. There are some two dozen plus Federal agencies that either have a role in drug enforcement, or that have no statutory bar to such a role, and, therefore, may work with us on this problem.

Each of these regions, working with the State and local agencies that are also willing to participate, therefore, must collate intelligence information, assess the threat to the region, prioritize smuggling targets, identify resources available to interdict those targets, and recommend actions to the participating agencies.

In order to do this, and this is where we get to the detailed structure of NNBIS that you have asked me to talk about, each regional center has two basic functional parts: An interdiction operations information center, and the interdiction information coordination center.

An operations side and an intelligence side. The purpose of the operations side is to coordinate and match intelligence with existing interdiction resources. Resources drawn from all over the Federal structure and from the State and local structures to the extent that the State and local agencies are willing and desirous of working with us.

They then recommend—and I stress the word recommend—action to the command and control elements of those existing resources. NNBIS is not a command agency. The Vice President is not directing the resources of the agencies in how they go about doing their work.

What we are doing is recommending to those agencies based on the intelligence picture that we have, and on our knowledge of the resource picture that exists on any given day, what it is we think they ought to do to make the best use of those resources.

In order to do that, of course, they need a fairly extensive intelligence picture, and that's where the IICC, the intelligence center, comes in. They provide as complete and accurate assessment as is possible of the narcotics smuggling picture as it exists, as it changes, and as it projects for the future.

The first priority of this group is to develop tactical intelligence, including trends, which will be used by NNBIS to attack a smuggling problem. And let me just deviate for 1 minute here, and note that whenever I say NNBIS, I'm really saying the participating agencies.

NNBIS is not an agency, it's not a formal organization with a budget and so on, as has been mentioned here earlier today. NNBIS is its participating agencies. It's a consortium. It's what we sometimes refer to as a "purple suit outfit," The staffing is all drawn from the major agencies. So that you have in any NNBIS center, staffing from all of the key agencies who are participants in NNBIS as well as——

Mr. RANGEL. Do spend as much time on that part of your briefing as necessary because it's very confusing. Who is in charge?

Captain SCHOWENGERDT. Well, let's see if we can get rid of some of the confusion.

Take a typical NNBIS center. Staffed by 20 to 30 people, depending on which center it is. The staffing will be drawn from DEA, FBI, Customs, Coast Guard, BATF [Bureau of Alcohol, Tobacco and Firearms], INS, and the Border Patrol, State agencies, local agencies, all four of the DOD armed services.

Mr. RANGEL. When you say local and State agencies if they are willing to participate, through the DEA, the FBI and others, are they willing to participate or are they mandated to participate?

Captain SCHOWENGERDT. Well, the situation has never arisen to have to answer that question, Mr. Chairman. They are all there and all participating, and I might add very enthusiastically and very willingly.

So,——

Mr. RANGEL. To be honest, Captain, some of the people that participate haven't the slightest idea why your organization was formed.

Captain SCHOWENGERDT. Well, Mr. Chairman, I think you'll find growing pains in any organization, and you will always find people who will make statements like that. I don't believe that's fundamentally true across the structure of NNBIS and the participating agencies.

I think——

Mr. RANGEL. I don't want to interrupt any further because we have a lot of questions that go directly to that, as to whether or not some of the front line law enforcement, Federal agencies, really believe that there is a purpose to be served by superimposing the National Narcotics Board Interdiction System. While we are all grateful for bringing the Vice President over, we have no idea of what the Vice President is in charge of or whether he works—or under him.

Mr. SMITH. Mr. Chairman, he said State and local agencies—

I would like an example of one place where any State or local official has access to, on a daily basis, and staffs an NNBIS center.

Captain SCHOWENGERDT. Yes, sir. Miami. The Florida Department of Law Enforcement now has two people in the Miami center, and they have access to all the information just like any Fed.

Mr. SMITH. Thank you very much.

Captain SCHOWENGERDT. New Orleans, Long Beach, Chicago. I could give you others.

Mr. RANGEL. Well, I apologize for the interruption, and we'll wait and hold our questions until you finish with your briefing.

Captain SCHOWENGERDT. Thank you, Mr. Chairman.

I do want to note that NNBIS itself, and this follows on my earlier comments, does not make seizures. Seizures are effected by the participating agencies, whether it's collectively or individually, and, of course, it's in the collective aspect that NNBIS plays its greatest role.

The NNBIS function is to increase the agency's effectiveness through cooperative and coordinated efforts. And, when you look at the number of agencies that can be involved around the country, I think you see the need for a coordinated effort where there are people who are dedicated to the coordinated effort with no other job to perform on a day-to-day basis.

So, it's not correct to say that NNBIS seizes something; it is correct to say that the participating agency in NNBIS seizes something.

The statistical data base that NNBIS maintains in order to keep track of all this sort of thing, looks only at border interdictions also. We keep track in the best possible way we can of all of the seizures of narcotics coming into the United States across our borders.

The seizure that's made in Dubuque, IA, on the street, by a local policeman or a DEA agent, for example, will not be included in the NNBIS data base. The seizure that is made by any Federal, State, or local enforcement authority, crossing our borders, being imported into the United States, will be kept in that system, to the best of our ability to do so.

We don't get it all. There are seizures made by State and local officials which we still do not have in our data base. We are working to be able to do that more effectively so that we can get the best possible picture of what we're catching coming across the borders and perhaps then, by analysis, what we're not catching coming across the borders.

Each of the regions is tasked with coordinating joint agency special operations within its geographical area of responsibility also. These operations are planned on a longer term basis, and are planned according to the perceived trends in smuggling which we see, so that we can put larger amounts, particularly of DOD resources, into an area of concern with a well planned in advance effort.

The air interdiction portion of drug enforcement, at this point, is the most difficult area. Factors such as short range transit time for the targets, gaps in radar coverage, short supply of detection and interception assets, have been mentioned earlier here today; and the ability of a smuggler to land in a foreign country outside the reaches of our enforcement authority works against the law enforcement community.

We are attempting to resolve many of these issues. We have worked with the intelligence and defense communities toward early detection of suspicious aircraft, and this includes using Air Force AWACS and Navy E-2 look down radar aircraft to detect potential air smugglers, and to identify the necessary communications links to alert, launch, vector, and intercept aircraft onto the target.

All of the military services have been very responsive to enforcement needs. I think we are making good use of DOD and its resources. We have also assisted Customs in their efforts to acquire a tethered aerostat radar system to be placed on Grand Bahama Island.

I'm sure you've heard recently that Customs has let a contract to T-COM for this relocatable surveillance system. That new aerostat, when combined with similar systems already in place in Cudjoe Key and Cape Canaveral, will provide excellent low level radar coverage along the east coast of Florida, as well as a considerable amount of Bahamian territory as well, which is a real problem area for us in airborne drug interdiction.

FAA has also completed a multiagency classified study, initiated at NNBIS' request, to identify all of the surveillance systems in the United States today. It identifies the gaps in coverage for aircraft crossing our borders at low flight altitudes, and it provides the input, the basic input material for a joint surveillance committee, which was just appointed by the Vice President at the end of March, made up of representatives from DOD, Justice, Treasury, Transportation, State, and the intelligence community, to follow up on that FAA study.

The committee has been divided by expertise into subgroups to review, analyze, and make recommendations on the drug threat, current detection capabilities, reaction capabilities, and possible deterrence measures which might be enacted by new legislation or regulation that would enable us to do a better job without having to buy so much in the way of sophisticated detection systems.

Mr. RANGEL. Who would do the buying?

Captain SCHOWENGERDT. The buying would be done by the agencies appropriate to the types of equipment and the types of missions that are involved.

The committee is looking at that issue, and sorting out who ought to do that. Of course, it was a major issue in late March, with Mr. English's hearings, as to who should do the surveillance and detection, that comes before the interception activities of the Customs Service. This committee specifically is charged with looking at that issue and making recommendations back to the NNBIS executive board, which is chaired by the Vice President.

That board will then make the decisions, on who should buy, who should provide and so on.

Mr. RANGEL. And, then NNBIS can go to OMB?

Captain SCHOWENGERDT. No, sir.

Mr. RANGEL. You just make recommendations?

Captain SCHOWENGERDT. The NNBIS executive board, which is the cabinet heads of the nine departments involved, and the Vice President as its chair, will decide based on the joint surveillance committee recommendations, how they wish to proceed in terms of resource acquisition.

Mr. RANGEL. Who comprised this executive board?

Captain SCHOWENGERDT. The Secretary of State, Secretary of Transportation, Secretary of Defense, the Attorney General, the Director of Central Intelligence, Director of the White House Drug Abuse Policy Office, and Secretary of the Treasury.

Those are the members of the NNBIS executive board.

Mr. RANGEL. Have they ever met?

Captain SCHOWENGERDT. Yes, sir, they have met several times. They meet approximately quarterly.

Mr. RANGEL. I mean, personally or do they send someone to the meeting? Are these people actually at meetings?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. The Vice President has sat down and explained to the Attorney General what he's doing?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. I'm sorry. You may proceed.

Captain SCHOWENGERDT. They met in June, they met in September, they met in November, December, and they met again in March.

So, they meet approximately quarterly. There is also an NNBIS coordinating board, which is at the next level down from the executive board, which is chaired by Admiral Murphy, and has a membership of about 25 people, roughly at the Assistant Secretary level of the Departments and at the agency head level of the various enforcement agencies. That also meets quarterly, in advance of the executive board and provides recommendations to the board for things that they feel need to go to the executive board level.

In the smuggling war at sea, the Coast Guard, Customs, and State and local marine units have been performing at a steady high level over the past few years.

NNBIS' efforts in this area have concentrated on drawing new or untapped resources into the effort, and improving the coordination of tactical intelligence leading to seizures. We are focusing on drawing into the effort agencies which operate on or over the waters to provide additional intelligence information. Agencies which would be out there anyway, and who can contribute to our cause.

We have been, I think, quite successful in obtaining additional DOD support as well as the support of other agencies which are rarely considered when looking at drug interdiction.

We have been following the Coast Guard's testing of the seagoing aerostat radar system with great interest. Their operational tests have just been completed and the results are being evaluated.

With additional data from supporting agencies and planned advancements by the Coast Guard, we look forward to making maximum use of available forces to interdict vessels on the high seas by the Coast Guard or within the Customs waters, and by the Customs within Customs waters, and State and local marine units within State waters, within 3 miles of the shore.

Perhaps the most difficult drug enforcement area to attack, and it's one that has not been discussed here today, is that of smuggling via commercial carrier, including commercial aircraft and commercial cargo shipments by sea.

The vast quantity of air, sea, and vehicular traffic entering this country daily is truly staggering. The task falls primarily to the Customs Service with assistance by the border patrol along our land borders.

NNBIS' primary contribution in support of this element is to assist in developing intelligence information and ensure its dissemination to the right people and in a timely fashion.

To this end, we deal with the intelligence community to ensure that they are aware of our needs and have drawn into our efforts the interest and assistance of highly skilled members of that community. Some of the desired information is classified in the national security context.

In an effort to secure and protect the data, we have asked DOD to provide secure communications equipment and we are hopeful the Defense—well, we know as of today, as a matter of fact, that Defense will be able to loan us that equipment, which means more intelligence data can be brought to bear at the enforcement level.

My staff participates in the planning, review and support of special Customs enforcement operations, and we make every effort to identify and acquire necessary additional resources in cooperation from other agencies in support of the Customs interdiction initiatives.

Mr. Chairman, throughout my statement, I have made frequent reference to the Department of Defense and the military services. The 1982 Defense Authorization Act passed by the Congress included a much needed clarification to the posse comitatus statute.

NNBIS has the key role in implementing the will of the Congress for more DOD involvement in the drug war. We have accomplished this through a series of initiatives, some of which have been mentioned.

There are a couple of initiatives perhaps that deserve additional mention, though. Each month, since June 1983, DOD assets have been made available for special operations throughout our border areas.

Now, these are not always highly publicized because we are not anxious to tell the bad guys what we are doing. But, these special operations have been of great benefit to us, and they use DOD resources for intensified efforts in geographical areas that are of concern to the enforcement agencies.

We also tag onto available, existing DOD operations whenever intelligence indicates some benefit may be derived. These are operations where DOD would be out there anyway, doing their regular military missions, and where they can be of value to us.

While these operations are not always successful in identifying smugglers for intercept, ancillary benefits do occur. We are able to determine relative threats in specific areas while simultaneously educating both DOD and the enforcement agencies on working together, identifying potential smugglers, and communicating with each other.

There have been major difficulties in aligning communications systems so that as a practical, technical matter, these things can be done, and I think we are making good progress in that area.

These preplanned commitments have led to standard commitments in some cases, and to the development of quick response arrangements in others, where we can draw on DOD resources on a moment's notice instead of with three month advanced planning.

I think we are seeing payoffs, and with more and more cases being initiated by DOD alerts and reports. Each month, we have used a little different mix of military assets, and we are developing an increased awareness of our mission needs within the military community.

So that now, frequently, the military services are coming to us and saying here's an asset we think we can use to your benefit. This is something that, you may not know we had and here's a way that we think it can be made useful.

Instead of always being us going to them, that education process has now gotten to the point where the DOD folks are coming back with their own ideas, based on the knowledge of their equipment as to ways that they can be useful.

The support for our efforts has been outstanding from all of the services. We have worked with the active and reserve components of those services, and are now focusing more attention on obtaining additional support from the National Guard as well.

We are currently working with the Guard Bureau here in Washington to develop guidelines for field units and we are optimistic that the further refinement of policy will enable even greater participation by those units.

By combining coordination and more intelligence information, we are able to work smarter, and by receiving the excellent support from the DOD, we are able to also work harder. I really do feel that NNBIS has made significant contributions to the national effort against drug trafficking.

I acknowledge that we still have a long way to go. We know that 60 percent of all crime is drug related, or 40 to 60 percent anyway, and we know that border interdiction alone is not going to halt the drug problem. It's only one way of dealing with a part of the problem.

But, when our improving accomplishments are measured along with the increasing successes of the Drug Enforcement Administration, and the organized crime drug enforcement task forces, and then melded in with the many initiatives in drug abuse prevention, I am optimistic that we can overcome the scourge the drugs have brought upon our society.

Mr. Chairman, you have demonstrated your concern and interest in supporting this fight, and I welcome that. I believe a concerted effort to pass the comprehensive crime control act would serve notice that the Congress and the administration are united in the belief that drugs and crime are not political issues, that require division along party lines, but, a major concern of all Americans regardless of their affiliation.

That concludes my formal briefing, Mr. Chairman. I would be happy to answer any questions you may have or at least do my best.

[Complete statement of Captain Schowengerdt appears on p. 138.]

Mr. RANGEL. Thank you so much, Captain Schowengerdt.

You do clarify a lot of problems that we had. The Vice President is coordinating the efforts of the Secretary of State, the Secretary of Transportation, the Department of Defense, the Attorney General, the CIA, Carlton Turner, and the Secretary of Treasury——

Captain SCHOWENGERDT. For border interdiction.

Mr. RANGEL [continuing]. As it relates to drugs.

Captain SCHOWENGERDT. No, sir, as relates to border interdiction. Go back to the name of NNBIS. It's the national narcotics border interdiction system, and it differs significantly from the south Florida task force.

South Florida task force; the Vice President was charged with looking at the entire problem of drugs and crime in south Florida.

Mr. RANGEL. No, no. That's another problem. I just want to get to the border interdiction.

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. The Secretary of State is involved, I assume, with the Canadian Government and the Mexican Government?

Captain SCHOWENGERDT. And, the Bahamians and Jamaicans and others surrounding our country, and with the Colombians, who are a primary source country for us.

Mr. RANGEL. I assume these are executive meetings that are held, that you talked about?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. Are there any written reports or recommendations or anything that would allow Members of Congress to understand to the degree that these people are participating and what is coming out of this participation?

Captain SCHOWENGERDT. There are no written reports, no, sir. I can tell you what goes on in the meetings.

They discuss the current problems, you know, make decisions where decisions are necessary.

Mr. **Rangel.** You see, it would seem to me that we should have something like this to deal with all of the problems, and the border interdiction is just one of the problems that we have.

Captain **Schowengerdt.** There is another mechanism as well, which operates here, the NNBIS executive board deals with NNBIS, deals with border interdiction.

The Cabinet Counsel on Legal Policy, chaired by the Attorney General, deals, among other things, with the overall drug problem. From an investigative standpoint in particular, from a Department of Justice point of view, with respect to a number of other interagency issues that are not strictly border interdiction issues, and you've got the White House Drug Abuse Policy Office headed by Dr. Turner, which is reviewing the entire Federal strategy, the five point program that I mentioned earlier.

Mr. **Rangel.** But, from—you being the Director and you just coordinate, you have your staff—your staff is just picked up from the other agencies.

Captain **Schowengerdt.** Yes, sir.

Mr. **Rangel.** So, you are in charge of coordinating?

Captain **Schowengerdt.** Yes, sir, I have a staff composed of Coast Guard, Customs, Navy and Air Force persons, in addition to myself.

Our task is to monitor the work of our six NNBIS regions, and conduct the coordination across regional lines that may be necessary, and to provide to Admiral Murphy and to the Vice President, the issues and problems that may need to be resolved up at that level.

Mr. **Rangel.** But, you don't do any of the seizing at all. That's between DEA and Customs and all of that. So, you don't put out releases as to what you've done.

Captain **Schowengerdt.** No, sir, we generally do not put out news releases. There are some exceptions to that, for example, the Vice President's speech on June 17, when he kicked off the program publicly, was a news release from his office.

Mr. **Rangel.** But, each one of the line organizations that you coordinate, they don't lose any of the identity in terms of what they are doing in the law enforcement effort.

Captain **Schowengerdt.** No, sir; they certainly should not. When I say we, I'm speaking again of the consortium of participating agencies.

Mr. **Rangel.** That's where the problem is, you know. Why would the Customs need someone to say we for them, or DEA to say we for them, when we are trying to find out what they are doing on the border.

We now have to go to the Vice President's office to find out what they are doing. Is that correct?

Captain **Schowengerdt.** No, sir; you can work as you have in the past, going directly to the agencies as well as to us. You know, the need for a coordinative body is based on the large number of agencies involved, and the fact that in the past, we did not seem to be making the best possible use out of all of the Federal resources that were there.

Mr. RANGEL. I don't have any problem with that. My problem is that you don't have any staff, and I don't know whether the Vice President actually would call up, say, Bud Mullen and tell him that he wants something done or that he's not satisfied with what is going on. I assume the Attorney General would do that.

Now, does the Attorney General check with the Vice President or Carlton Turner? Suppose the Congress had a concern, that we say we're pouring a lot of money into a specific program that we thought would work, and we're not satisfied with the results, we want to know how we can use the taxpayers' dollars better in stopping this stuff from coming into the United States.

Well, we know we can't get to see the Secretary of State on foreign policy, but do we see the Vice President?

Captain SCHOWENGERDT. I think you do what you're doing today. This panel sitting behind me now, and myself, I think we can provide you with the answers you need to your questions, sir.

Mr. RANGEL. Well, I assume you had an opportunity to read in the newspapers the memo indicating that major changes were needed by the NNBIS?

Captain SCHOWENGERDT. You're speaking of the memo from last January, yes, sir.

Mr. RANGEL. Yes, from Mr. Mullen.

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. Any comment to make on that in general?

Captain SCHOWENGERDT. Just that it's an old memo, and we had discussed those issues long since. Any new organization, any new effort within the Federal bureaucracy always has growing pains.

We get together and work them out. We talk with DEA. We talk with Customs. We are DEA and Customs. We are our participating agencies.

So, we are always together talking and working out problems that may arise.

Mr. RANGEL. Well, the statement that you made no material contribution to the administration's interdiction effort, nor should you, nor should it, that is if you haven't made a material contribution, I would want to know why.

But, then, it says he doesn't believe you should be making any material contribution anyway. So, I don't know what his complaint is.

Have you made a material contribution towards the administration interdiction effort, and if you have, why did you?

Captain SCHOWENGERDT. I think we have, clearly, and I think it falls into the area, as I indicated before, of being able to bring a large number of organizations, very diverse in their missions, most of them with multiple missions, only one of which is drug enforcement, together in a way that they can seize more drugs. They can become more effective, and they can work better together.

I think that's a contribution that we are there to make, and I think we are making it.

Mr. RANGEL. You are able to make them more effective in doing the job that they have been chartered to do?

Captain SCHOWENGERDT. I think there's a difference there, sir. The multitude of Federal agencies that are involved provides a coordination problem that was not being adequately addressed, and which the Attorney General and his organizations were not in a position to address.

I would note that when NNBIS was formed, as when the south Florida task force was formed, it was formed by the President after full consultation, not just with the Vice President, but with the Attorney General, with the Secretary of Transportation, with the Secretary of Treasury, and so on.

So that these are not decisions taken in isolation. These are decisions taken after full consultation with the involved parties, and by agreement that this was a good way to go.

The Attorney General agreed with the President that the south Florida task force and then ultimately NNBIS as well as the organized crime drug enforcement task forces was a good way for this Government to go in fighting this problem.

Mr. RANGEL. One last question, Captain, is, at what level with the line agencies that make up NNBIS, do you coordinate?

Captain SCHOWENGERDT. I coordinate personally with——

Mr. RANGEL. You are the staff director of whatever staff they have loaned you.

Captain SCHOWENGERDT. Yes, sir; right.

Mr. RANGEL. Right? And, so, you really—you have the responsibility of reporting to the Admiral, and he to the Vice President?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. So, I'm trying to find out that in the course of doing your coordinating, who do you coordinate with, say, for DEA?

Captain SCHOWENGERDT. With DEA, I coordinate normally with the operations director, Frank Monastero. He's my normal point of contact on a daily, personal basis. For example, within the Coast Guard, it's the chief of operations. Within Customs, it's the chief of the law enforcement office and so on.

But, I don't have a problem in accessing anyone at any agency that I need to talk to.

Mr. RANGEL. I did say my last question, but all of these people that are on loan to you, do they give up their identification or their primary responsibility to the agency that they came from, or do they now become a part of your staff to coordinate?

Captain SCHOWENGERDT. They become a part of the Vice President's staff. I think that's an important point. The agencies in providing full time people to the NNBIS structure to make NNBIS work, provided people to the Vice President for the Vice President to use as members of his staff in putting the organization together.

Mr. RANGEL. Now, we say Vice President, but——

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL [continuing]. The Vice President doesn't give daily supervision.

Captain SCHOWENGERDT. No, sir; but the Vice President sure gets daily briefings on what's going on and he wants to know.

Mr. RANGEL. But, you're the one——

Captain SCHOWENGERDT. He's very concerned about it.

Mr. RANGEL. But, you're the one that has the responsibility on the day to day basis to coordinate the Vice President's staff.

Captain SCHOWENGERDT. Yes, sir; and they are—whether they are in my staff in Washington, or whether they are in the six regions around the country, they are full-time dedicated staff working for the Vice President up the line.

They are not working for their parent agencies. Now, they are still paid by their parent agencies, they will at the completion of their tour of duty go back to their parent agencies.

Obviously, they bear some loyal ties and loyalties back to them. I would certainly hope so. The reason they are useful in their jobs is because they are good people with broad knowledge from their agencies.

Mr. RANGEL. Is this a temporary thing that you're heading up? I mean, is it supposed to be phased out or——

Captain SCHOWENGERDT. We would like very much to work ourselves out of a job, yes, sir.

Mr. RANGEL. No, no; I don't mean—I meant that these people that you have on loan, it would seem to me that if you thought the problem was going to last 10 or 20 years, assuming the best scenario, wouldn't it be more effective if their allegiance was to you or to the Vice President?

Captain SCHOWENGERDT. I'm not so sure that I would do it that way.

Mr. RANGEL. You like the way it is?

Captain SCHOWENGERDT. Yes, sir; because it brings in expertise from the agencies that's fresh, and these people are experts in their own fields. They are reasonably high up in their own agencies, and then we rotate them over time so that you keep that freshness in there.

Mr. RANGEL. And, these are pretty high level people that are on the staff.

Captain SCHOWENGERDT. GS 13, 14 level, yes, sir.

Mr. RANGEL. Then, I have to dispose of this memo, but I yield to the ranking Republican.

Mr. GILMAN. Thank you, Mr. Chairman. I welcome Captain Schowengerdt here, and we welcome trying to clarify some of the complexity of the bureaucracy.

And, I think that's probably the essential problem that we are confronted with. There are so many layers of bureaucracy now that are involved in the narcotics effort that it has become somewhat confusing to local enforcement efforts.

And, I think that a great deal needs to be done to help simplify that and clarify that in the minds of local enforcement people as well as those of us in the Congress who are involved with all of this effort as we try to deal with policy issues, and to try to get the policy people who are involved and who are directing the effort.

Actually, Captain, you have been in place since about June of last year, isn't that correct? When did you really begin functioning?

Captain SCHOWENGERDT. We actually began functioning on the 17th of June concurrent with the Vice President's announcement. We had been working up to that since the President's announcement on the 23d of March, so that at the point where the Vice President made his announcement, we were in place and functioning and providing intelligence and DOD assets and so on.

Mr. GILMAN. So, it's a little less than a year that you've been on the ground and working at this problem.

The chairman asked the permanent staff. How many staff people do you have in the Washington office?

Captain **SCHOWENGERDT**. I have six, sir.

Mr. **GILMAN**. And, you do the whole work with six people?

Captain **SCHOWENGERDT**. Yes, sir.

Mr. **GILMAN**. And, then how many do you have out in the—12 regional offices, are there?

Captain **SCHOWENGERDT**. Six regional offices.

Mr. **GILMAN**. Six regional offices, and how many people out there?

Captain **SCHOWENGERDT**. Twenty to thirty in each region. It varies a little bit from one region to another, and in two of the regions, we also have an Air Interdiction Program which is linked into NNBIS, which makes the staffing a little different.

Mr. **GILMAN**. Then, these are six regional centers?

Captain **SCHOWENGERDT**. Yes, sir.

Mr. **GILMAN**. Where are they located?

Captain **SCHOWENGERDT**. Chicago, New York, Miami, New Orleans, El Paso, and Long Beach.

Mr. **GILMAN**. And, you're just beginning now to bring on some local people at those regional centers, is that correct?

Captain **SCHOWENGERDT**. We have had some in place for a long time. The Los Angeles Police Department and the Los Angeles County Sheriff have had people in our Long Beach center almost since the day it began operation, last June.

The Florida Department of Law Enforcement has just recently joined the center in Miami. The New Orleans Police Department and the Louisiana State Police were in the New Orleans Center about a month after it opened. In New York, rather than having the local folks in the NNBIS Center, because we're not out to create new organizations where you don't need new organizations, we have worked with the UID at 57th Street, which already had the local officials——

Mr. **GILMAN**. I can't keep up with all of the——

Captain **SCHOWENGERDT**. Unified Intelligence Division, which is a DEA-sponsored organization. Crackerjack outfit, and——

Mr. **GILMAN**. Why I'm asking about this local involvement, I think that's a very essential and important part of what you're doing to get more local involvement.

In our conference in southern Florida, which we held just about two weeks ago, we felt that there was a lack of understanding of the whole bureaucratic layers up above, and there was a lack of input, lack of coordination, lack of communication both ways, in that it needed to be strengthened.

I think probably your effort is a sound one. We hope that it can be made more effective, and we hope that you will take a good, hard look at this communication problem that exists when you talk about NNBIS and joint surveillance committee and IOIC and IICC and EPIC, the drug abuse policy committee and the cabinet counsel and UID, I think you can understand why some of us have a problem putting a finger on where it's all at and let alone local law enforcement officials who feel that they are so much at a distance to all of this, and they are not part of it, that they are frustrated.

And, that's what we found in the conference, and I think Admiral Thompson, who was with us, recognized that there was a lack of good two way communication, and that he hoped to be able to improve that, and I hope that that message gets home to you in Washington.

They need to understand what you are doing, how you are doing it, and how they can be part of what you're doing. And, they, too, of course, were concerned about credit for seizures, and I think you've dispelled some of that problem.

Admiral Thompson dispelled some of it at that meeting, but local enforcement people have to know that if they worked on a problem, they are going to get some benefit out of the credit for that arrest and that seizure. They have to answer to their local budgetary people just as you folks at the Federal level have to answer to them.

They want to know, too, that if they are going to obtain some assets, that those forfeitures and those assets as a result of the forfeitures are going to remain with the local agencies and not be carted off to some distant place in Washington and made use of by the Federal folks.

I think that is a very important part of all of this, and I hope that you can get that message out across the country. We heard it loud and clear in Florida, that conference was, I think, very important to local enforcement people; it was important to the Federal people.

I think there should be more of that kind of a conference. We found that just yesterday, in New York City, a conference that Chairman Rangel had arranged, we felt that there was a great deal of exchange of thinking and problems that had not arisen before and a better understanding of the problems.

Bud Mullen was with us and a number of Federal agencies were represented as well as local agencies and that kind of a conference, I think, will help bring about a better coordination and a better effective use of the tax dollars that are available.

Your basic responsibility is coordination, and I hope you take a hard look at that lack of understanding that's out there today because of all of these layers of bureaucracy that have been built up in trying to do the job.

And, somebody has got to pull it all together, and it looks like you're in a good position to do that as director of this agency, at least with regard to interdiction.

And, I hope that you'll take that message away from this hearing, that there is that problem out there, and it needs a better understanding of all of the things you're doing.

Now, I'd like to raise another issue with you. You talk about bringing in the armed services, and the Congress and our committee have been pressing for a number of years to expand the posse comitatus and to get away from some of the prohibitions, the Coast Guard has been hard at work at doing this work for a long period of time, but we find some of the other armed services come in screaming and kicking as you pull them into this issue, that they are reluctant to use the few dollars that are available, for example, on maintenance.

They are unwilling to maintain some of the aircraft that are assigned to some of the other enforcement activities, are reluctant to become overly involved and will raise posse comatitus prohibitions.

For example, just last week, in our committee, we were discussing the utilization of the need for seven helicopters in California to help with the spraying effort on national parklands where most of the marijuana is grown in California.

And, we found reluctance by the armed services to allow seven choppers to be assigned for a short period of time to the California authorities to help them with the spraying activity, and to my mind, that sounds abhorrent that we couldn't get our armed services to be cooperative with local law enforcement to get rid of a problem that exists on Federal lands.

And, I would hope that as director of this coordinating activity, you could take a look at that kind of a problem. We had testimony just this year before the Armed Services Committee where they took away a maintenance funding for aircraft because they were assigned, I guess, to Customs in the utilization of a drug enforcement activity.

There is a lack of coordination and a lack of understanding apparently out there some place when you start fighting over budget dollars between agencies that were supposed to be bringing together in an all out effort, and I think, captain, if you take a look at some of those problems, I think NNBIS can be a great deal of help.

I think my personal thinking is that we need better clarification at local enforcement level of what you are doing and why you are doing it and how you are doing it.

We, in our committee, are confused so much by the complexity and the overlapping and the multitude of agencies that are involved, and I think there needs to be better clarification of everyone's responsibility and how they are fulfilling it.

And, of course, Bud Mullens' criticism created a great deal of furor when that memo came out. I see that Mullen now has taken another look at what you have accomplished over the last few months, just reading the Miami Herald's recent article that says you're doing a better job. We hope you'll do an even better job in the days ahead.

We realize you are a new agency, but, gee whiz, concentrate on that communication effort. I think that that leaves a lot to be desired, and I welcome your comments.

Captain SCHOWENGERDT. Well, I agree, Mr. Gilman, that it does, and I would give you an example. Mr. Mullen and I will be together tomorrow in Portland, ME, at the State drug enforcement alliance semiannual meeting to talk with the narcotics chiefs from 33 of the States of the union, many of which are border States, about exactly these kinds of problems.

Both of us have extensive travel and speaking schedules trying to deal with exactly the problem you're raising. Trying to get the message out of how the structure actually is put together, who to talk to, how to call, how to get involved, and, of course, noting that we're not carrying a big bag of money around. We're not a new LEAA. We're not out there to provide Federal funding to the State and local folks.

What we are actually out there to do is to get the State and local folks to come in with us and help us, more than anything else.

I think we are doing much better in doing that.

Mr. **Gilman**. I hope that it will be much more than talking to them or talking at them. I think you need a lot more of the exchange type of thing that we have in Florida, that we had in New York City yesterday.

We need a good exchange and a better understanding of each other's problems and a better understanding of what can be done to work together.

And, certainly we need a lot more cooperation amongst the armed services, and you certainly are in a position to rally those armed services. I think they are coming forward occasionally and offering a bit of equipment, and that may be encouraging, but I think we need a lot more than that kind of activity.

Captain **Schowengerdt**. And, I certainly do talk with, not at.

Mr. **Gilman**. Thank you. Well, what I'm saying is encourage a regional conference. We found that this example that Congressman Lewis helped to arrange in south Florida, was excellent, and I think he will make some comments about that.

But, I think that went a long way to clarify the problems and dispel some of the myths that existed down there.

Thank you, Mr. Chairman.

Mr. **Rangel**. Mr. Akaka.

Mr. **Akaka**. Thank you very much, Mr. Chairman.

Captain Schowengerdt, there is no question that you have a tough job. I think we all know that it's very difficult.

I know that in your statement, you mentioned that NNBIS is an initiative of the President, and as an initiative of the President, it is further divided into regions and into centers.

You point out that you have six personnel in your office in DC, about 30 in the region. How many centers do you have per region and how many personnel do you have there?

Captain **Schowengerdt**. The word center and region, I use interchangeably. That's it. We have six.

Mr. **Akaka**. I see. Now, is NNBIS considered a formal or an informal initiative?

Captain **Schowengerdt**. It's a formal initiative, certainly, but it's an informal organization. It's not—it is not an agency of the Government established by statute.

Mr. **Akaka**. This means that you are not on the appropriations list for funding?

Captain **Schowengerdt**. That's correct.

Mr. **Akaka**. I did take the time to look it up, and you are in fact not on this list. Now, as an informal initiative group, you pointed out that you make decisions in the top hierarchy.

What strength or authority does your decision have upon the agencies?

Captain **Schowengerdt**. A decision which needs to be made at a high level governing the activities of one or more of the agencies will be made by the Executive Board, which is the Cabinet Secretary for the departments, and the Vice President.

When a Cabinet Secretary makes a decision about his department, that goes.

Mr. AKAKA. I see. So, it's passed back through the Secretaries——

Captain SCHOWENGERDT. Yes, sir.

Mr. AKAKA [continuing]. Or the Directors of the agencies.

Captain SCHOWENGERDT. Yes, sir.

Mr. AKAKA. And, that's where the authority is. You also mentioned in your testimony that you and I guess the Executive Board make recommendations.

These recommendations are passed back through the Directors and the Secretaries for agency consideration.

Captain SCHOWENGERDT. There are two different levels of that kind of activity. It might just be worth noting for a minute, the—out in the field, within the regions, on a day-to-day basis, the intelligence and operations personnel working in the NNBIS centers, the NNBIS regional centers, will evaluate everything they know about the smuggling picture that day and make recommendations at the field level to the owners and operators of the various Federal, State, and local assets that would be available, as to how that group thinks they ought to proceed on that day.

Perhaps an airplane from Customs, a ship from the Navy, a cutter from the Coast Guard, and so on, all are going to work together on a particular case that's going to happen in that day or that night or next week.

And, those recommendations then are acted upon, if they are acceptable, by the heads of those groups in the local area. If, for some reason, they are not acceptable, they come back and talk about it and work out something that is.

The NNBIS center will act as the agent to make things happen, to get the people together, to get them into agreement, not to direct them as to what their agreement should be necessarily, but to facilitate the achievement of that agreement on how to proceed on any given day or night or week in advance or whatever.

But, it's a very real time operationally oriented kind of thing. Now, what sets NNBIS apart from a resource perspective, from anything that's ever been done before, is that in each of our regional centers, we really know on a real time basis exactly what assets are available in that region, what their status is.

The helicopter has got a broken rotor and can't fly; we know it. Nobody has ever been able to do that before, and this includes all of the DOD assets, all of the Federal agency assets, and again to the extent that they are willing to work with us, the State and the local.

I'm not using that in the perjorative sense at all. I mean, some of the State and local agencies simply are not in a position to work with us. Many of them are. We are, I think, achieving excellent cooperation from them.

But, we really know what the status of all those assets is and how they can be brought to bear and we facilitate getting agreement amongst the asset owners to do that on any given day.

The other level is the policy level in Washington, and you could draw a parallel to the local level as well. Where more significant policy issues involving long-term asset useage or direction may be referred to the coordinating board for a decision. That's the 25 or so agency heads and assistant secretary level folks, or, if necessary, even up to the Executive Board with the Cabinet Secretaries.

Mr. **AKAKA**. I'm asking these questions because I have the same concern as the chairman has as to who is the boss. I'm glad to hear that you know what's going on, if a car needs repair, you have the information to do that.

In case there is a change of policy, I assume, you would know of this change.

Captain **SCHOWENGERDT**. Yes, sir.

Mr. **AKAKA**. I'm concerned about changes that we may be able to make or changes that we would want to express concern on, especially at the local level. And, in particular, in Hawaii.

We had a statewide Hawaiian narcotics task force that is doing—was doing similar coordination as you are in NNBIS. It was very, very successful. All the Federal law enforcement agencies as well as local agencies belonged to it. The Attorney General's office belonged to it, and for some reason, in 1982, this task force was asked to disband.

We were sending some letters to inquire about that as to reasons why it was disbanded, and we would like to see it restored. But, I'm just mentioning this to you hoping that when it does come up, you will be aware of it.

The task force worked very well the years that it was in existence.

Captain **SCHOWENGERDT**. Well, on June 5, Admiral Murphy and I will be in Honolulu meeting with the law enforcement coordinating committee there, which is headed up by the U.S. attorney, but includes everyone in law enforcement in the State, including even the Hawaii County Police Department, Hawaii County and so on, all will be coming together for a meeting there on June 5 with us.

So, perhaps we can find out a little more about that at that time.

Mr. **AKAKA**. Yes, and my question would be to find out why it was asked to close down, and I'm sure you'll be asked that when you get to Hawaii.

Another reason why I was pursuing and trying to learn what you're all about is that it seems as though drug activity, drug successes, are being sent to NNBIS, and NNBIS is reporting it, such as seizures.

You mentioned here that you do not do any seizures in NNBIS, and, yet, in news articles, NNBIS reported it and I would say that NNBIS was taking the credit for it, it seems.

And, we need to, as Congress people, understand your structure, and I'm really grateful for the understanding you have brought to us today.

Another concern I have, which you raised on page 9 of your statement, is commercial carrier smuggling, cargo shipments by air, sea, and vehicular traffic. The problems are staggering.

And, in Hawaii, it is staggering, to the point where I think smuggling cannot be controlled. My question to you is, what are your plans in this particular area?

Captain **SCHOWENGERDT**. That's a really tough nut to crack. Customs, of course, is the lead agency in this. We are working to help Customs any way we can in providing additional resources to them, particularly from the Defense Department, and better intelligence.

So that when you look at a container terminal, like the one at Port Elizabeth, NJ, for example, that handles over 500,000 containers a year, which container do you look in? You can't look in all of them, which one do you look in?

We are trying to address that problem from the intelligence perspective, to see if we can't do better, but that's tough. That's a very, very difficult area, and I am not sanguine that we're about to come up with a miracle solution to it.

Mr. AKAKA. Thank you very much, Mr. Chairman.

Mr. RANGEL. Thank you. The Chair would like to acknowledge the presence of the former Governor of the State of New York, Hugh Carey.

But, more importantly, a member of the distinguished House of Representatives and a former member of the Ways and Means Committee.

Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Captain, I guess I'd like for you to tell me who is in charge. This question has been approached now three times, and I'm not sure I really understand. Who is in charge of NNBIS and who is in charge of our drug interdiction system?

Captain SCHOWENGERDT. The question has a multiple answer really.

The Vice President is in charge of NNBIS, and chairs its Executive Board, which is its policymaking body. NNBIS is restricted to border interdiction.

The Attorney General is the chief law enforcement officer of the land, by statute. The DEA, by statute and by assignment from the Attorney General, is the lead drug enforcement agency of the country.

That's, I think, about the shortest answer to your question, sir.

Mr. LEWIS. With our local law enforcement hearing last week in Florida, we had a lot of comments passed back and forth and it was a very candid exchange of viewpoints, both from the local enforcement officers as well as the State and the Federal agencies.

And, I must say that Admiral Thompson did a commendable job in trying to explain the NNBIS operation to the local law enforcement officers. But when you have 60 some local law enforcement officers that do not know at this point who really are the main folks with the south Florida task force, then 18 months ago or almost 2 years ago, 1 year ago, they got hit with another organization, which is another layer, and the only thing they read about—well, the only thing they know about—this organization is what they read about and what they hear about in the paper and television.

Now regarding, Mr. Mullins' comments, from his memo, or rather the comments made about his memo indicate that there was a lack of communication.

And, one of the greatest problems that I have found since I have been in Congress is with the bureaucracy. The bureaucracy runs this country; I guess we all recognize that.

But, it seems to me that what we have done is put them all in the blender and blended them all together and just made a larger bureaucracy in our drug program. And, given this situation, I guess if that if your answer to my question on who is in charge, what I would really like to know is exactly who is running and coordinating our Federal drug strategy at this point.

Captain **Schowengerdt**. The President, through his White House Drug Abuse Policy Office, is running the overall Federal drug strategy.

Mr. **Lewis**. How many people would you say from Federal agencies are involved with the various task forces and NNBIS, that are operating today?

Captain **Schowengerdt**. There are over two dozen Federal agencies involved, and there are thousands of State and local agencies.

Mr. **Lewis**. What you're saying is that our drug program is being operated by Mr. Turner out of the White House with a staff of four to six people?

Captain **Schowengerdt**. The overall Federal strategy, that's developed in the White House Drug Abuse Policy Office by Dr. Turner and his staff of four to six people, responsive to the President's direction. But he does not do that in isolation. He works with a large group of people from the primary Federal agencies who are involved in the drug enforcement or drug abuse problem.

Now, including alcohol abuse, by the way. So that he puts together a consensus view of all of the participating agencies into what is currently known as the 1982 Federal drug strategy.

Mr. **Rangel**. Will the gentleman yield?

Mr. **Lewis**. I yield, Mr. Chairman.

Mr. **Rangel**. We had this in Texas, everyone was walking back and forth across the border, employees, workers, and it was a very distressful situation. We—if we went to Carlton Turner and told him about the problem, which has been improved somewhat, would he then check with NNBIS and ask what you are doing about it, or would he tell you what to do about it?

Captain **Schowengerdt**. The White House Drug Abuse Policy Office has the responsibility for working out broad policies under the President's guidance, for the Federal program.

And, we have discussed the five point 1982 Federal drug strategy. Now, that's not operational day to day details.

Carlton Turner isn't, and isn't charged with, nor would he be in a position to direct the day to day operational activities of the many thousands of law enforcement agents around this country who are working on that problem, and he is not a law enforcement officer.

He is looking at the broad overall drug and alcohol abuse problem in the United States, and the strategy for the administration to try and deal with it. That's not detailed operational strategy.

The Attorney General is the chief law enforcement officer of the land. NNBIS is looking only at border interdiction and that's strictly around the borders; that's not in the center of the country.

Mr. **Rangel**. But, you can't tell anybody what to do.

Captain **Schowengerdt**. No; don't need to.

Mr. **Rangel**. Because they do it when you suggest it, as you could go to Murphy who would go to the Vice President——

Captain **Schowengerdt**. Well, if they come back with a better idea, you know.

Mr. Rangel. OK. You have already—you won't have any problems with me because it would take a career really to understand all of this, and it's not your fault at all; it's just that it's complex.

Captain Schowengerdt. Yes, sir; it is.

Mr. Lewis. Thank you, Mr. Chairman.

Captain, I serve on the Government and Justice Subcommittee, Government Operations, and you have appeared before that subcommittee as well as this one.

And, I continue to hear after the task force was established and NNBIS that we still have a communications problem.

Now, we can play that game from now until eternity and still not accomplish anything because it's a good cop-out. You know, I go back to General George Patton who, with all of his faults, was one of the greatest strategists we ever had as far as military operations go, and one of the things that he always did when he had an operation was when he briefed his company commanders, he briefed them as to the objective, the results of that objective, the timeframe, and what he expected from them, and if they weren't capable of doing it, he replaced them.

And, they knew this. But, there was no excuse from the company commander not to tell that General or his battalion commander that he did not know what his responsibilities were during that course of action.

And, this has not taken place in our drug enforcement program, and I consider the drug problem in this country and its influence on our society justifiable open war.

And, I think we are missing the most vital ingredient—that is, keeping those people that have to know informed. I recognize that we have turf problems, but I hear over and over again, no, no, Congressman, it isn't a turf problem. That's baloney. It is a turf problem. Everybody is afraid someone is encroaching on someone else.

And, I feel that we have to have somebody take a hold of the reins and either run this thing or forget it, because we are not doing the job. The American people out there and the ones in my district, in particular, want something done, and I hear from other Congressmen they too want something done about this.

And, we're just not doing it by starting, expanding, and then starting and expanding again. I was not here when the drug czar program was put forth to Congress, and I'm not even at this point sure that its the way to go.

But, it certainly seems to me that we need a focal point, an apex, for this operation, and we already have in place a drug enforcement agency. And, incidentally, for your information, the numbers of witnesses that testified to the south Florida law enforcement hearing had nothing but good things to say about the DEA and the communication, and it appeared that communication was two-way, down and up.

But, other than one witness who mentioned the FBI, that was the only agency that received any kudos. Of course, many of them did not know what NNBIS was but Admiral Thompson then adequately explained it. It appears that we were going in the right direction as far as getting communications started, and as a result we established an ad hoc liaison to start working together.

Hopefully, this will work as a model. Maybe it will even become permanent, so that not only the Florida Department of Law Enforcement, but also the local sheriff and the local police chief, the guy that has to make the break or whatever when smugglers land their airplane, knows what's happening.

And, I have noticed in your report that you talk about the air interdiction portion of drug interdiction being the most difficult area.

Certainly none of us can disagree with this, but what you're saying here is the same thing I heard February a year ago in Miami at a hearing down there, with Congressman English's committee.

I also go further and when you're talking about the operation in the Bahamas and the lack of contractor support for the Blackhawk helicopter. It is common knowledge among most of the committee members that the Huey is like sending Roger Bannister of 30 years ago and trying to get him to beat Moses Malone in a 100 yard dash. That Huey is not going to cut the cake with those fast aircraft, but the Blackhawk did.

So, what we're saying is that, sure, the Air Force is doing an excellent job of flying those things. I don't doubt that at all. But, that Huey is not up to the job. The Blackhawk is.

And, we had a lot more busts and were collecting those aircraft when they were landing because that Blackhawk could fly as fast as most of those aircraft and could land right alongside of it. We're not doing that.

So, some of these statements to me, appear to be a cop-out in a lot of ways, and we're just not grabbing the bull by the horns and saying this is what we're going to do.

Now, I, frankly, believe that what you have been able to do so far with available resources you're doing a darn good job. But, I don't think everybody else knows what a darn good job you're doing, and I think you have to get that word out.

But, I do believe that we have to improve communications and start coordinating the organizations because we can have all the Federal agencies working with the local Governments and with the local law enforcement agencies, but if those local law enforcement agencies don't know it and do not know what's available to them, we're not going to cut the cake at all.

So, I'm pleased with what Admiral Thompson said. I again will repeat and say that you can do the job on border interdiction, but there is certainly a long way to go, and I don't believe that we can continue to wait when you start looking at street traffic statistics on these drugs like we do.

I didn't mean to get into a litany, but by serving on two different committees, I have heard hearing the same stories over and over again and they never change, and I'm just getting a little tired of hearing it all.

I would like to see more action. Your shot.

Captain SCHOWENGERDT. I'm not sure there's much I can respond to that.

A couple of facts, I suppose, that are pertinent, though. I don't look at communications as being a cop-out. Sure, there is a communications problem and that's been the buzz word for 20 years now for whatever problem comes along.

But, over 90 percent of the law enforcement officers in this country are State and local law enforcement officers, less than 10 percent are Feds, a lot less than that 10 percent are the Feds that work primarily—primarily work in NNBIS problem.

NNBIS is not going to be able to go out and shake the hands of every cop in the United States, around the 33 border States of our country, and answer every question each of them has individually. We are going to do the best we can to get to their bosses.

In Florida, the approach we took was working down through the FDLE because the authorities, the State authorities in Florida said that's the way we want you to go. We want you to work through the FDLE as your primary mode of communications down with the other local authorities in Florida. Although we added the immediate Miami area authorities in earlier because they were part of the original south Florida task force. But all around the country, we have that problem.

You're right. I acknowledge what you're saying, and we're attacking it the best we can, but like I say, we're not going to be able to get out there and shake hands with everyone of them, much as we would like to do that. We're going to have to work as General Patton did, down through sort of a chain of command, and we try to start with the State authorities and the major city authorities within our region and work our way down.

But, you could probably go out a year from now and find a sheriff somewhere who is going to say I don't know what NNBIS is, I haven't heard of NNBIS.

With respect to the OP BAT operation, I would like to make one point of clarification. The original DEA helos that were in there were the old model Huey's, the single engine Huey's that are not really good for over water flight. They were old. They were decrepit. They could not be adequately maintained, and they didn't fly as fast or as well as the Air Force helicopters that are in there now.

The Air Force helicopters now, the UH-lN helicopters, which are much more capable, twins, over water, good navigation equipment, and they are doing a cracker jack job.

Blackhawk is a little faster, yes, but not enough faster that I think it would make a major difference in the operation. Two UH-lN's are doing—

Mr. Lewis. It does make a difference when they approach the landfall and come into land, that's where it makes the difference then.

Captain Schowengerdt. It can, yes, sir; it depends on how much advance knowledge we get, though. If our detection systems are up so we can track the guy, then we can get out ahead of them. We can vector to be ahead of them and be there regardless of whether we've got a slow helicopter or a fast helicopter.

If we get behind them in a stern chase, we're in trouble.

Mr. Rangel. Captain, did you furnish the committee the statement of authorization with the names in it, you know? It's pretty easy to understand at the Vice President's level with the cabinet officers, but when you start getting further down, it gets a little confusing.

Captain SCHOWENGERDT. Yes, sir; I'd be very pleased to.

Mr. RANGEL. Do you have guidelines written for the staff or the people who work with you or the Vice President? Do they have any guidelines as to what their responsibilities are?

Captain SCHOWENGERDT. There is a broad mission statement for what our regions are to do, and a set of the initial breakdown of the tasks, but the detailed organization within a region was left to the coordinator of that region to develop.

Each region is different, has a little different set of problems, different geography and so on. So, they develop their own local guidance.

Mr. RANGEL. Now, when you see problems as the coordinator, do you make specific recommendations in terms of budgetary items to members of your system?

Captain SCHOWENGERDT. The budget is handled at the agency level, in Washington. NNBIS is not a part of the budgetary process.

Mr. RANGEL. I know, but can you—you're not a part of it.

Mr. GILMAN. Would the gentleman yield? Do you have any input at all in the budget?

Captain SCHOWENGERDT. Through the coordinating board and the executive board as well as the staff level contacts, sure, we're aware of all of the things that are going on in budgeting for the various agencies.

But, we are not a formal part of the budget process.

Mr. RANGEL. Let's get an example. OMB says they are cutting back, say hypothetically, Customs, and you are coordinating this effort, do you talk with Admiral Murphy or the Vice President about it or Carlton Turner?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. You talk to them?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. And, assuming that their effort was something that you have been supporting and coordinating and thought this was necessary, how would you support their effort to get what they thought they might need?

Captain SCHOWENGERDT. I would make my recommendations to Admiral Murphy. I'd ensure that he knew how I felt about it and what I thought the benefits were.

Mr. RANGEL. And, you meet with him periodically?

Captain SCHOWENGERDT. Daily.

Mr. RANGEL. Daily?

Captain SCHOWENGERDT. Yes, sir.

Mr. RANGEL. And, how often would he be meeting with the Vice President?

Captain SCHOWENGERDT. Daily.

Mr. RANGEL. And, of course, the Vice President meets quarterly with the Cabinet, then comes back down the other way.

Well, I wish there was something we could do to help you, but you're not budgeted, you know.

Captain SCHOWENGERDT. Yes, sir, I know.

Mr. RANGEL. And, I'm glad that you're working with Bud Mullen because he's out there with the responsibility of enforcing the drug laws, and it's very difficult for us to be critical of a line outfit when there is another layer between him and getting the job done.

And, so, I'm glad that you're meeting with him and Admiral Murphy is meeting with him, and we look forward to working with you. We need more information with all of these agencies.

You don't meet with the people at the U.N. at all about our borders?

Captain SCHOWENGERDT. No, sir.

Mr. RANGEL. And, you don't have anybody in your staff from the Secretary of State? I mean, I know that the Vice President has coordination, but you're dealing with two foreign countries and a whole lot of other countries on our borders as it relates to our relationships with them.

Captain SCHOWENGERDT. We don't deal with any foreign country without dealing with the Secretary of State's representatives and the——

Mr. RANGEL. Do you have a Secretary of State representative——

Captain SCHOWENGERDT. Not on my staff, no, sir. Not on my staff. But, we follow the same standard practice as any Federal agency does in this town. No Federal agency in this town is allowed to deal with any foreign entity without coordinating through the Department of State.

We do the same thing as all the rest of them.

Mr. RANGEL. DEA already is there and they are with the Attorney General's office. They deal with heads of state all the time.

Captain SCHOWENGERDT. In coordination with the Department of State. DEA, when they are stationed overseas, are stationed in embassies and consulates where we have them. DEA and State work very closely together all the time.

Mr. RANGEL. Well, the Congress has been involved with getting the Drug Enforcement Administration to have direct agreements with their counterparts in these countries, and I assume that we are working under the Constitution and with the approval of the Secretary of State or at least Dominick DeCarlo, but they do have a working daily relationship.

And, the big problem we have, Captain, is that some of the people, like you say, that you can't shake hands with the local sheriff and the local law enforcement officers, we know that.

The problem is that they have been working over the years with certain people, and then when we come, first, they are confused as to why we're there, then, second, they assume—because they have been working either with the DEA or with Customs and, so, I can understand why you wouldn't be able to do it because you'd just be doing what we have been trying to do over the years.

So, it just brings a lot of other people in there in terms of the coordination, but if you could send us additional information and perhaps after the committee members have had an opportunity to digest it, we might try an informal session without the mikes and the tables where you can informally share with us exactly how we can be helpful.

Captain SCHOWENGERDT. I'd be pleased to, Mr. Chairman.

Mr. GILMAN. Would the gentleman yield? Thank you.

Captain, with regard to other nations, with regard to their armed services and their involvement in the interdiction effort along the borders, do you meet with any of them at any time or through the

State Department, do you get some coordination and cooperation from their armed services?

Captain **Schowengerdt**. We have not met with the armed services of any adjacent State to the United States, except in the context of some meetings between the U.S. Coast Guard and the Mexican Navy, which began prior to the NNBIS effort, but are now linked in with it.

If—I am having trouble understanding the question perhaps, but if what you're suggesting is that the NNBIS group is somehow going off by consulting with other nations on an ad hoc basis, no, that's not happening.

There is a procedure for doing that sort of thing within our Government and that procedure is followed. The Secretary of State, you know, is——

Mr. **Gilman**. Well, if I could go right to the heart of the question, since we're trying to coordinate our own military people to be helpful, is there any way we can get some help from some of our bordering nations through their military efforts since there is a shortage of personnel and funding, and to try to make the best use of all of the personnel that might be available in other areas, particularly the military services? Have you embarked on that effort at all?

Captain **Schowengerdt**. Well, let me define "we" again. United States has done that. NNBIS has not done very much of that. I gave you the one example.

But, the Royal Bahamian Defense Force is involved in the drug interdiction effort. That relationship is one that exists between the Royal Bahamian Defense Force on the Bahamas side, the U.S. Coast Guard on our side, and within the Bahamas, with the DEA representatives there.

Mr. **Gilman**. Who would coordinate the Royal Bahamian activity and our military activity, the Coast Guard or Navy? Wouldn't that be properly NNBIS' function?

Captain **Schowengerdt**. It's coordinated through NNBIS on the U.S. side of the straits, through the American Embassy to the Bahamian authorities on the Bahamas side of the straits.

A similar situation in Mexico. The Mexican Armed Forces are heavily involved with the eradication effort in that country, and also with the interdiction effort——

Mr. **Gilman**. Well, let me throw out a hypothetical. Let's assume you're tracking some vessel or group of vessels going through the Caribbean from maybe the Mexican area and heading up toward the Bahamas. Do you want Mexico and the Bahamas and our own Nation involved?

Who would put all that together? You have to go through each embassy and get permission, or do you have some direct way of doing all of this?

Captain **Schowengerdt**. If what you're looking for, say, is the assistance of the Mexican Navy in spotting some vessels in the Yucatan Pass, now NNBIS can go to the Mexican Navy through our State Department to the Embassy in Mexico City, back to the Mexican Navy. It takes about 1 hour to do that, and turn on that kind of support, if they are in the area, if they can render it.

If you're leading to actual seizures of vessels on the high seas, that also is subject to the same kind of coordinative mechanism, and you can get a pretty definitive answer within a couple of hours generally for any of that activity.

Mr. **Gilman**. I guess what I'm asking, Captain, couldn't we put together some sort of a coordinating group within NNBIS or working alongside NNBIS just as you have local authorities working with you, so you don't have to go through all that redtape when you're hot on the trail of someone?

Captain **Schowengerdt**. Some joint operation between their Armed Forces——

Mr. **Gilman**. They could clear through all of these authorizations in a hurry.

Captain **Schowengerdt**. It's theoretically possible, yes, sir, but——

Mr. **Gilman**. I would hope that maybe you could explore that. We certainly need the help of these friendly neighboring nations in meeting this problem because it's certainly not unique to our Nation and they are involved, they are involved both as victim nations and producing nations, and I think we need that kind of a joint effort just as we need the joint effort in our own—on our own shores.

Captain **Schowengerdt**. Yes. I don't disagree, sir. The only thing I would note is that NNBIS has not started up a lot of new efforts in this area because I think the existing system is working pretty well.

Our ability to get in contact with those folks on the other side, the Armed Forces of another country, their involvement, I think, has been working well. We can get to them, we can talk with them, and we can get a decision out of them as to what they are and are not willing to do.

Now, there are some things that perhaps we would like to have done that their Government is not willing to do. I acknowledge that, but to the extent that we have the willingness, the cooperation of the other Government, then the procedures for obtaining that on a day to day basis or doing that kind of liaison works very well.

Good streamlined procedures.

Mr. **Gilman**. Well, sometimes, a couple of hours in hot pursuit can mean the difference between seizure and failure of seizure, and I hope that maybe you can resolve those problems.

Mr. **Rangel**. Thank you, Captain.

Oh, yes, we talked about the chart. Some type of a table of organization, and you might add in there, you know, while you are dealing with our borders and you don't deal with the DEA on the borders, but you deal with the State Department or the State Department doesn't have a representative on your immediate staff, and it's kind of hard to understand how our borders, dealing with foreign countries—that you really don't have somebody directly involved with counterparts in those foreign countries.

Captain **Schowengerdt**. I guess I haven't done a very good job of explaining it, Mr. Chairman, because I think we are doing rather well there.

We have a very close working relationship with State Department officials here in town. Dominic DeCarlo and his office, from the functional side——

Mr. **Rangel**. I understand you can go to the State Department, and I can't think of anyone that's better informed than Mr. Dominick DeCarlo.

But, it would appear to me when they started recruiting the staff for you, that they would have recruited somebody from the State Department, and have them, too, on your staff as you have the Coast Guard and Customs and DEA, because just saying "border" means saying "foreign country."

But, I don't want to get involved in how this came about and they probably thought it all out and you got the best that you could work out. But, it would be helpful if you could send us something to share the thinking, and then maybe we'll go back to some of the line organizations, and we'll have a better understanding of how they function and as long as they believe this is something that can happen, you can depend on our support.

Captain **Schowengerdt**. Thank you, sir.

Mr. **Rangel**. Thank you, Captain.

We have a panel. John Lawn, Acting Deputy Director of DEA; Alfred De Angelus, Deputy Commissioner of U.S. Customs; Vice Admiral Benedict Stabile, Vice Commandant, U.S. Coast Guard; and Oliver Revell, the Assistant Director for the Criminal Investigation Division of the Federal Bureau of Investigation.

We regret that the early part of the hearing has taken longer than we had expected, and we're now about to go into our legislative session.

Because of that, I would want the participants to know that their full statements will appear in the record, and I ask you to summarize them so that we can get some questions in before we end this hearing.

Mr. Lawn from DEA.

TESTIMONY OF JOHN C. LAWN, ACTING DEPUTY ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION

Mr. **Lawn**. Thank you, Mr. Chairman.

I am pleased to appear before the committee and to summarize the pertinent points of my statement which had been furnished for the record.

In 1973, DEA was designated the Federal agency responsible for the investigation of U.S. drug law violations. DEA also investigates drug trafficking overseas.

Additionally, DEA regulates and monitors the manufacture and distribution of legal drugs. It also has a key role in the collection and analysis of narcotics intelligence, domestically and overseas.

As the lead agency for drug enforcement, DEA plays a crucial role in this administration's campaign against organized crime and drug trafficking. During the past fiscal year, we have taken tremendous strides in effecting a unified, sustained assault against the illicit drug traffic, both domestically and abroad.

We have maintained a close working relationship with other Federal agencies, including the Federal Bureau of Investigation, the U.S. Customs Service, the Coast Guard, the Navy, the Air Force, the Bureau of Alcohol, Tobacco, and Firearms, and the Internal Revenue Service, with numerous State and local agencies, and also with foreign enforcement entities.

In fiscal year 1983, DEA averaged over 1,000 arrests and 800 convictions per month. This figure includes DEA-assisted State and local arrests and convictions.

Domestic drug seizures from fiscal year 1982 to fiscal year 1983 were as follows: Heroin seizures were up approximately 30 percent, cocaine seizures were up approximately 50 percent, marihuana seizures remained the same.

Almost 3.8 million marihuana plants were destroyed in calendar year 1983 by local law enforcement agencies, a nearly 50 percent increase over the prior year.

Since March 1982, DEA has participated in the South Florida task force along with U.S. Customs, the Bureau of Alcohol, Tobacco, and Firearms, the Immigration and Naturalization Service, the U.S. Coast Guard. DEA and Customs participate in this program under a Florida joint task group which conducts both pre and post drug smuggling investigations, as well as financial investigations in the State of Florida.

For the period March 1982 to September 1983, these efforts resulted in 1,677 arrests, 1,043 drug seizures, and a total of over $22½ million in asset seizures.

DEA also has personnel actively working in all six NNBIS regional centers. Under the Vice President's leadership, NNBIS is charged with coordinating all Federal agencies, including the Department of Defense and including the State and local agencies where they have joined the effort, in the interdiction of contraband narcotics, at or prior to crossing our borders.

DEA's major contributions to NNBIS is in the provision and analysis of tactical enforcement intelligence. Another cooperative effort with State and local law enforcement personnel is our State and local task force program. This program, in contrast to the OCDECF effort, is aimed at the middle level violator.

Currently, there are over 20 formal operational DEA State and local task forces in metropolitan areas, including Guam. These task forces have an overall conviction rate of 98 percent, and have consistently resulted in over 2,000 arrests per year. About 30 percent of these arrests are in the class 1 and class 2 case categories.

DEA has long enlisted the cooperation of source and transit countries to eliminate illicit drug production, trafficking, and the diversion of illicit drugs into illicit channels. We support numerous host country efforts to investigate drug trafficking organizations, and to interdict drugs at the source. We have had some notable successes, especially in our diversion control and our foreign cooperative investigation programs.

DEA's intelligence program provides adequate, timely and reliable intelligence regarding drug trafficking to the law enforcement community. In fiscal year 1983, we established a special intelligence unit to coordinate intelligence community information.

Currently, the El Paso Intelligence Center [EPIC] facilities, are being upgraded to more efficiently process and store this information.

Forty-eight States now participate in EPIC, and it is now the tactical link between the south Florida task force, NNBIS, the OCDEF program, State and local task forces, DEA, the FBI, Customs, the Coast Guard, and other Federal agencies.

Congress' continued interest and concern regarding the drug abuse and trafficking situation is of great assistance in this effort. On February 2, 1984, the Senate favorably reported by an overwhelming margin the administration's Comprehensive Crime Control Act of 1983. Senate bill 1762.

Currently, the House is considering this legislation and its provisions to reform statutes relating to bail, sentencing, criminal and civil forfeitures, and several other important diversion control amendments. These reforms provide important new tools with which to combat drug trafficking and organized crime.

Your support of such legislation can make this battle against drugs and organized crime a more successful one.

Thank you very much.

[The prepared statement of Mr. Lawn appears on p. 150.]

Mr. HUNTER. Thank you for your statement.

I noticed when you completed your statement, Mr. Lawn, you referred, I believe, to the President's comprehensive crime control package of 1983.

Mr. LAWN. Yes, sir.

Mr. HUNTER. And, the sentencing reform and the bail reform and the many other elements. I think it's a 42-point package that would be enacted should the President's control package pass.

It occurred to me that the administration has taken some fire from the gentleman from Florida, Mr. Pepper. I got here late, so I wasn't able to listen to my colleague, but I understand he has criticized the administration for what he feels to be an inadequate program and inadequate direction of resources to the—into the situation.

Is that an accurate portrayal of his criticism?

Mr. LAWN. Yes, sir, based upon what I heard this morning.

Mr. HUNTER. One point that needs to be made is that it's a two-way street, and perhaps Congress bears some of the blame because the Senate passed the President's comprehensive crime control package 91 to 1, and we've had it for about a year and I know that the gentleman from Florida, Mr. Pepper, is the chairman of the Rules Committee, and I, for one, would like to see that package brought to the House floor and debated and voted on. I know one important member of the majority party has stated that that crime control package was dead on arrival in the House of Representatives.

So, I think perhaps we in the House have to take some of the blame or take some portion of the blame for the inadequacy of the national attention, and including not just the executive branch but the legislative branch in dealing with the problem.

So, thank you for your statement. Let me just ask, it looks to me like one of the criticisms, and perhaps it's valid, I've been reading the statement by Mr. Mullen to William French Smith, stating that NNBIS is a liability and the alleged grandiose accomplishments of NNBIS will become the administration's Achilles heel for drug enforcement.

I just wondered, are we saying that perhaps in our narcotics border interdiction system, we have too much of a bureaucracy, too many levels of management, and is this, in fact, interfering with the day-to-day operations of DEA and other agencies?

Mr. **Lawn**. Well, sir, as Captain Schowengerdt said earlier, the information provided at that time, in January 1984, is dated information. Secondarily, the information which was put together for the Attorney General at the request of the Attorney General is part of the deliberative process.

It's something that we do, we do it with our relationship with the Federal Bureau of Investigation, we do it with our workings with the organized crime drug enforcement task forces.

We, as components of the Department of Justice, try to keep the—certainly the Attorney General's office, and the other components of the Department of Justice, apprised of what we perceive to be problem areas.

Other than that, the comments specifically on that internal memorandum, I believe it would be inappropriate for me to comment on the specifics of that internal memorandum.

Mr. **Hunter**. OK. Well, let me ask you your personal opinion. Do you think that NNBIS is a liability?

Mr. **Lawn**. I think that in January 1984, when we had discussions and prior thereto, when we had a number of discussions with Admiral Murphy, with Captain Schowengerdt, with Judge Webster and with the Department of Justice, there were breakdowns in communication at that time, and we, during subsequent meetings, addressed those breakdowns.

I'm not sure that all of the problems are completely resolved, but we feel that we have made great strides.

Mr. **Hunter**. Well, do you think the NNBIS is effective?

Mr. **Lawn**. I think that the NNBIS Program has done things very effectively for drug law enforcement, yes, sir.

Mr. **Hunter**. OK. What is the status, and, incidentally, to my colleague, Mr. Akaka, any time you want to cut me off here, I've got a number of questions that we worked up in the committee, but go right ahead at any time and break in.

I don't want to monopolize the hearing, but let me ask you one last question.

What is the status of Police Commissioner Ben Ward's threat to pull his men out?

Mr. **Lawn**. Mr. Mullen traveled to New York City yesterday to discuss Mr. Ward's concern with the Commissioner and with the chairman. As of last night, I understood that the concerns—the fears of his withdrawing from the task force have been allayed.

Mr. **Hunter**. Let me turn it over to my colleague, Mr. Akaka.

Mr. **Akaka**. Thank you very much. We will return for further questioning.

I'm going to ask, in the interest of time, that we go on to the other witnesses, and we'll hear all of you, and then we'll open for questions.

Next is Mr. De Angelus. I have known him through other hearings. He is a career customs employee, and now recently elevated to Deputy Commissioner of Customs. Congratulations.

Mr. **De Angelus**. Thank you.

Mr. **Akaka**. I would like to tell you that we will include your full statement in the record, and you may summarize or tell us what you can about your statement.

TESTIMONY OF ALFRED R. De ANGELUS, DEPUTY COMMISSIONER, U.S. CUSTOMS SERVICE

Mr. **De Angelus**. Thank you, Mr. Akaka. I will try to be as brief as possible.

Mr. Chairman, as you know, the Customs Service was our Nation's first Federal law enforcement agency. Traditionally, the Service has had a very broad mission.

From its earliest years, the mission has included the collection of revenues and numerous activities in the law enforcement area. Today, in accordance with the priorities of the Reagan administration, we view our activities relating to the smuggling of narcotics as of the utmost importance.

When Commissioner von Raab came to Customs, he immediately established law enforcement as our number one priority. In response, we have strengthened our enforcement posture by significantly restructuring the management of our enforcement activities not only in headquarters, but down to the region and district levels.

In addition, we have devoted more resources and more attention to law enforcement matters whenever and wherever possible. I think that, by any standards, the Customs Service should be regarded as an aggressive law enforcement agency that is determined to do the very best job possible to combat narcotics smuggling.

In spite of the dedication and successes of Customs, Mr. Chairman, as well as other agencies involved in the war against narcotics, this war is far from being won. The threat to our Nation, and particularly to its young people, remains. The huge profits available to trafficking groups continue to lure law breakers and provide the funds necessary to finance ever more sophisticated schemes to evade our detection and apprehension efforts.

The response, Mr. Chairman, as has been made abundantly clear, is that we must do a better job. The Customs Service is committed to do so.

Our Tactical Interdiction Program, consisting primarily of marine and air response elements, has experienced further development over the past year. We have developed a marine module concept. Marine modules are being established at Fort Myers and Fort Lauderdale, FL. We are using vessels from our existing fleet as well as from the seizure/forfeiture process to equip these models.

Mr. Chairman, I can also report that several operational improvements to our Air Program have been completed or are nearing completion at this time. These improvements are in our capability to detect, intercept, and apprehend the private aircraft smuggler.

Our detection capability in south Florida improved when the Patrick Air Force Base Aerostat became operational in October 1983. Since the creation of NNBIS, we have been able to increase the hours of AWACS and E-3A/E2C support from the Department of Defense.

Our South Central Region has been chosen as the base for the P-3 radar surveillance aircraft which are scheduled to undergo testing and evaluation by the Navy in June. Our intercept capability will be further improved with the lease of four Citation aircraft carrying F-16 radar. The lease has been approved with delivery scheduled to begin in fiscal year 1985, in the last quarter of 1984.

Mr. Chairman, perhaps the most essential link in the enforcement chain is the capability to apprehend. With the cooperation of the Department of Defense, our apprehension capability has been significantly improved with the loan of four Blackhawk helicopters from the Army. When combined with the Cobra helicopters already on loan, high performance helicopters are stationed at Customs air branch.

To manage our increased detection, interception and apprehension capability, we have instituted centralized control of our air interdiction efforts at the headquarters level.

This is being accomplished through east and west command centers with each reporting directly to headquarters and having line authority over air branches.

Mr. Chairman, as you know, we are involved in national narcotics border interdiction system. Since the inception of NNBIS, the Customs Service has been an active and enthusiastic participant.

Our goal, and that of all participants, is the intent to produce the most cohesive and effective narcotics interdiction effort possible at the national level.

Customs participates in the planning and execution of special enforcement operations designed to utilize Customs resources to the maximum extent, in conjunction with DOD resources, in our air and marine interdiction efforts.

The NNBIS Program does not direct the activities of the participating agencies, but coordinates or integrates the self-initiated interdiction operations of the member agencies.

Since these operations would normally be carried out by the agencies, a budget breakout in terms of manpower and dollars which delineates costs associated with NNBIS operations is not possible. Accordingly, the level of Customs resources for the NNBIS Program would be synonymous with the Customs enforcement resources directed to drug efforts overall.

In other interdiction efforts, the Commissioner has asked the airlines for their help in the war on drugs. I believe we can further strengthen our defenses by working together with the airlines and others involved in the travel and transport industry.

Only cooperation between all the organizations involved in air travel will make us successful.

At a recent meeting with representatives of 39 air carriers, Commissioner von Raab warned that the situation with Colombian cocaine entering the country aboard commercial airlines had reached an intolerable level.

He pointed out that Customs may seize aircraft that are used to carry contraband into the United States, and that the seized aircraft are subject to forfeiture.

As a result of this meeting and subsequent events, we have gotten considerable cooperation from the airlines, furthering drug detection and prevention of smuggling by use of commercial aircraft.

Regarding our enforcement at the borders generally, Customs is expected to process passengers and cargo as expeditiously as possible. Yet, on the other hand, we are mandated to enforce the law.

We believe that the first challenge is being met with current initiatives, such as the establishment of selectivity as the foundation of our processing system. Included are such facilitative measures as one stop processing and red-green systems with citizen bypass.

These measures free more personnel to perform enforcement functions. Mr. Chairman, we believe Customs is meeting the enforcement challenge at ports of entry, by the timely communication of intelligence, the development of threat assessment for individuals by flights, and the analysis of international smuggling methods and trends.

From these initiatives, we have recently developed a training program that teaches behaviorial analysis techniques and identifies specific observational profiles and interview techniques. Special training has been given to all airport customs inspectors, and is now being adapted to the land border environment.

Techniques taught have significantly increased enforcement results at airports.

Mr. Chairman, no discussion of drug enforcement activity within our ports of entry would be complete without mentioning our contraband enforcement team. These teams, comprised of seasoned inspectors and canine enforcement officers, backed by patrol officers, special agents, and import specialists, are the nucleus of Customs enforcement activities within more than 50 ports nationwide.

Utilizing intelligence profiles and a variety of interdictory techniques, the teams effectively screen and search cargo shipments, baggage, passenger vehicles, and in some instances, vessels and aircraft entering the United States.

In the past 12 months, the number of inspectors assigned to contraband enforcement teams has doubled. Obviously we have a long way to go before we solve the problem of drug abuse in this country. As a Federal law enforcement official, I cannot pretend to have all the answers to the many problems we, as a society, face in trying to combat drug abuse and related criminal activities.

However, we, at the Customs Service, will do the very best possible job that we can in this effort.

Thank you, Mr. Chairman.

[The prepared statement of Mr. De Angelus appears on p. 160.]

Mr. **Akaka**. Thank you very much, Mr. De Angelus. We'll move to the next witness, Mr. Revell.

TESTIMONY OF OLIVER B. REVELL III, ASSISTANT DIRECTOR, CRIMINAL INVESTIGATIVE DIVISION, FEDERAL BUREAU OF INVESTIGATION

Mr. **Revell**. Thank you, Mr. Chairman.

Since the delegation of concurrent jurisdiction in narcotic matters to the FBI by Attorney General Smith, on January 28, 1982, the FBI's increased involvement in narcotics investigations has been dramatic. As of May 1, 1984, the FBI was involved in 1,799 narcotics and dangerous drug cases. This is in contrast to the approximately 100 narcotics investigations we had on-going in January 1982. Twelve of those cases at that time were being conducted with DEA. As of today, the total number of joint cases with DEA is 737. This increased participation is indicative of the tremendous emphasis placed on narcotics investigations by the FBI, which currently consume over 16 percent of the FBI's total agent work years in the field.

In fiscal year 1983, the number of title III electronic surveillances used in narcotics investigations was 155, DEA worked jointly with us in 47 of those cases. For the first half of fiscal year 1984, title III's have been initiated or extensions obtained in over 205 cases. The number of agents dedicated to narcotics matters has increased from 100 agents in 1982 to over 1,000 as of April 1984.

The delegation of concurrent jurisdiction also has generated the initiation of joint intelligence gathering and coordination of administrative functions at FBI and DEA headquarters. More than 652 FBI agents have received narcotics cross training by DEA at Glenco. The mutual efforts of DEA and FBI have brought unprecedented coordination in directing resources against La Cosa Nostra and its extensive involvement in heroin importation, and against outlaw motorcycle gangs throughout the United States who are involved in the manufacture and distribution of amphetamines, PCP, and other controlled substances.

These joint efforts also have uncovered instances of significant corruption of both public and law enforcement officials. Investigative techniques, including electronic intercepts, physical surveillance, undercover operations, and the tracing of financial assets, have produced positive results in behalf of the Federal Government's efforts.

In October 1982, as part of his eight point program against drug trafficking by organized crime, President Reagan announced the establishment of 12 organized crime drug enforcement task forces, in recognition of the geographic reach and complexity of many drug trafficking organizations which demanded a concerted, multiagency, multidistrict approach to enable law enforcement officials to take advantage of the complete range of legal sanctions, penalties, and other available prosecuting aspects.

The 12 OCDE task forces are fully operational, and the 13th task force is being created. The 13th task force is to be established next October and funding for the additional agents is authorized in the fiscal year 1984 Department of Justice appropriations bill. It is expected that Miami will be the core city for the task force, which will include the State of Florida, Puerto Rico, and the Virgin Islands. These task forces have brought to bear the combined resources of more than 1,200 agents and prosecutors from the Departments of Justice and Treasury.

Their purpose is to combat organized crime and other major traffickers involved in drug abuse. The Presidential initiative emphasized coordination and encouraged active participation by State and local officials in developing a combined national strategy for handling this serious criminal problem.

Toward this end, the FBI is an active member of the national narcotics border interdiction system, NNBIS, the El Paso intelligence center, EPIC, as well as a participating member of several interagency working groups, which have been established to address narcotics matters.

This multiagency approach allows us to combine the resources of each agency and, therefore, results in an intensive coordinated effort against domestic, international drug traffickers.

Although sweeping results are not expected immediately, as of April 1983, the following statistical data are available: The number of organized crime drug task force cases pending was 303, the number of indictments returned was 394, the number of defendants indicted was 1,934, and the number of defendants convicted was 491. Now, these are just cases within the task forces in which the FBI is involved. There has been a report issued by the Department of Justice which covers the entire gamit of accomplishments within the task force concept.

As expected, the drug trafficking cases have covered the entire range of illicit drugs, most significantly cocaine, marijuana, and heroin. And, as also expected, most of the individuals pursued in these cases have links to traditional organized crime, outlaw motorcycle gangs or other international criminal networks.

The records show, furthermore, that most of these individuals under investigation are involved not only in the importation and distribution of drugs, but also in the financing of drug trafficking and money laundering schemes. As noted by the Attorney General when the task forces were started, we are not up against amateurs; we are going up against professionals, and the networks which they operate. They are lured to this type of crime by its high profit. We are extremely impressed with the quality of investigations being worked by the OCDE task forces.

Originally FBI was authorized 334 positions for task force matters on March 31, 1983. Because of the quality of the cases and the general approach we have taken to narcotics enforcement, we are expending more than 500 agents working on task force matters at this time.

I'm very optimistic that this current experience in multiagency investigations will be reviewed very favorably in the final analysis.

The OCDE Task Force Program and the FBI's other narcotics activities clearly demonstrate the ability to develop cases successfully against enterprises and individuals at the highest levels of the criminal organizations which are plaguing our country in this particular area.

That completes my summary, Mr. Chairman.

[The prepared statement of Mr. Revell appears on p. 184.]

Mr. AKAKA. Thank you very much, Mr. Revell.

We will include your entire testimony in the record, and we ask you to remain for questions.

Admiral Stabile.

TESTIMONY OF VICE ADM. BENEDICT L. STABILE, VICE COMMANDANT, U.S. COAST GUARD

Admiral **Stabile**. Good morning, Mr. Chairman. I will be very brief in my summary. You do have my formal statement.

My summary discusses, in the first part, looking at trends over the past 3 years, and notes a drop in 1983 in marijuana shipments, and then a resurgence in 1984, which, to the best of our knowledge, we can attribute to a poor crop in the middle year.

So, we seem to be returning to the 1982 levels of activity in shipments.

We have also noted some changes in tactics. There was an upswing in the use of secret compartments last year, and that's begun to drop off for some reason. I guess they have found that we have been clever enough to find enough of them, and it wasn't worth the investment.

And, second, there is a considerable increase in activity in air drops by larger aircraft dropping bales of marijuana into the water in the coastal zones for pick up by boats.

These trends probably indicate that our surface forces are becoming more effective, and that some level of smuggling has shifted to the air.

My statement also talks about improvements that we have made, and continue to make in the intelligence area, in the past year. We can consider these activities to be a vital underpinning of our interdiction effort.

Senator Pepper mentioned the tethered aerostat that we are evaluating. I would like to correct the misimpression that was created earlier this morning. The aerostat is not the equivalent of a satellite. It has a more limited capability, but it is considerably better than an individual surface platform. The figure used by the Senator of perhaps 10 times the area that could be covered by a single ship is about correct.

It looks quite promising. We are still evaluating the data, and after that, we will make decisions as to what, if any, expansion there should be to our system.

Another system that should be of interest is the aireye system that will be coming on line later this year. Aireye includes such sensors as side looking radar, ultraviolet, infrared, active-gated TV, and an aerial reconnaissance camera.

Each one of our 41 Falcon jets are configured to accept any one of the six aireye sets. We view the aireye when it does come on line as having great potential for increasing our surveillance capability.

That, in a nutshell, is what I have in my statement.

[The prepared statement of Admiral Stabile appears on p. 200.]

Mr. **Akaka**. Thank you very much, admiral. We will include your statement in its entirety in the record.

Gentlemen, we certainly appreciate your presence on the Hill, and your testimony, and we know that this will help us understand a little more what NNBIS is about and what your part is in this whole initiative.

The administration has insisted that the control efforts are working, and that an all out fight against drug trafficking is producing excellent results. I believe that's a matter of record now.

Claims have also been made of seizures of illicit drugs and arrests of principal narcotics traffickers. However, the nation remains with this terrible problem, and as was mentioned earlier, it's still growing.

And, it's becoming so large that it could be considered a menace, not only to our country, but a menace to the world.

If the administration is waging an all out effort, what is further needed to obtain affirmative control on the availability of illicit drugs in the United States?

And, I leave that as a general question to any of you.

Mr. LAWN. Mr. Chairman, I would like to initiate my response by saying that the drug enforcement effort has had to play catch-up. In 1973, the Drug Enforcement Administration was formed, but it wasn't until 1983, that the number of agents assigned to the Drug Enforcement Administration 10 years earlier had again reached that level.

Prior to 1982, we had a paucity of investigators. In January 1982, with the announcement of the concurrent jurisdiction of the FBI, this ability to investigate drug law enforcement was certainly enhanced.

In March 1982, with the south Florida task force, this again was improved. Then, in October 1982, with the initiation of the organized crime drug enforcement task forces, DEA, for the first time in recent years, had been given supplemental personnel. They had been given the facility to hire new agents in order to do the job.

We subsequently now, through 1982, 1983, and 1984, have continued to add to that manpower. Our budget in 1984 continues to—in 1985, continues to ask for additional manpower, and we are anticipating in our budget for 1986, we will continue to do so.

We think that we have now, at least, caught up to where we believed we should have been. The drug problem in the seventies continued to rise at a time at which even State and local law enforcement were losing personnel. For example, in the city of New York, in the past 10 years, New York City lost about 25 percent of their law enforcement resources at the same time the Drug Enforcement Administration was losing resources.

This kind of thing has now been addressed and what with the initiatives we have seen in recent years, we feel we now have the personnel, the combined personnel of each of us represented here, our agencies represented here, that we can adequately attack the problem and not merely fight off skirmishes.

Mr. AKAKA. You mentioned that you had asked for additional personnel. Is that forthcoming, or have you—did you receive the additional personnel to carry out your aim?

Mr. LAWN. Yes, sir, we have received the additional personnel in 1983 and 1984. We have a supplemental pending for additional resources. Our budget in 1985 again calls for personnel, and we anticipate requests for personnel again in 1986.

Mr. AKAKA. Let me ask the same question to Mr. De Angelus. What is further needed to obtain affirmative control of the availablity of illicit drugs?

Mr. DE ANGELUS. Well, certainly resources is one answer, but I believe that we have done a number of things recently.

One of them, although it's been questioned, is NNBIS. It has coordinated the efforts of the agencies better and for Customs specifically, and the Coast Guard has brought the assistance of DOD assets to the problem.

We are working closely with DEA especially, but FAA and others to increase the flow of intelligence to Customs. We are developing and we have diverted resources from other areas of Customs to the antidrug effort. We have increased our agent force. We have allocated considerably more personnel to the intelligence function as well as to, as I mentioned earlier in my testimony, contraband enforcement, which are designed to zero in on detection of drug smuggling.

We think that given the level of resources available to the country and the Customs Service, the mix we're putting together is very effective.

Mr. **Akaka**. I always felt that the Customs Service was wanting of more personnel. However, the request we received from the administration is the removal of 594 positions to be—I'm sorry. That's wrong—954 positions to be eliminated from Customs.

Do you have a reason for this request?

Mr. **De Angelus**. At the risk of alienating my colleagues, Mr. Akaka, because we manage better than these other agencies at the table here.

Also, we have a number of systems underway, one is the automated commercial system; the other one that I mentioned earlier is the selectivity approach, which allows us to use fewer people in our commercial area and in our commercial inspection areas to concentrate on the drug enforcement area.

Certainly, we could use more resources; however, again, given the level of resources available to the country, just as at home, we don't—can't—always do in my household the kind of things we'd like to do. We think we can manage with this level of resources.

Mr. **Akaka**. Well, we have handled that in another committee, and the—I asked the question just to try to inquire as to why that drastic cut. This raises possibilities that Customs may be moving into another agency, for all I know, given the 954 reduction.

You—well, let me go on with the same question to Mr. Revell, as to what is further needed to obtain control on the availability of illicit drugs in our country.

Mr. **Revell**. Mr. Chairman, I think the narcotics problem in the United States is multifaceted. It's not simply a law enforcement problem, by any means. I think that the current initiatives are much broader than just law enforcement.

One of the principle requirements is the reduction of demand. That is not a law enforcement issue. That is an issue of societal norms and the attitude of particularly our young people. Even now, as we see the progression of narcotics use particularly cocaine, into the older population, it obviously transcends the youth culture. Those initiatives are not being undertaken by law enforcement agencies; they are being undertaken by the White House, by the First Lady, by Dr. Turner, by the health care agencies and so forth. I believe that they are making progress, and we are seeing, as Mr. Lawn pointed out, some reduction in the demand. It seems to me in the long run that's a very significant factor.

The second is overseas, the source countries. That also is almost out of reach of the law enforcement agencies, although DEA does have a very specific role. That is an area for political and diplomatic initiatives. It is a matter of crop eradication, crop substitution and the negotiation of treaties and additional mutual support. Law enforcement agencies have to depend upon the State Department with the assistance of DEA in these matters.

The third area, of course, is interdiction, and that's primarily the responsibility of my two counterparts sitting on either side of me, the Coast Guard and Customs, and they have a very difficult problem. Our borders are open, as we see from other areas of my concern, terrorism and so forth. Practically speaking, control at the border is nonexistent because of the length of the borders, the number of possible means of entry, and the open society in which that we live. So, control at the borders must rely upon certain profiles, and other forms of control that are not total and cannot be totally effective.

We get to the fourth area, the area of my responsibility which is the investigation of major organizations. There, I think, we have seen some very major improvements.

The entry of the FBI in 1982 into the narcotics investigative activities recognized that traditional organized crime groups have undertaken a significant amount of activity particularly in heroin. We are speaking also about the motorcycle gangs and amphetamine and PCP, with the need for long-term intensive investigation.

DEA as Mr. Lawn has pointed out, totally strapped. They certainly had the capability of long term investigations; they simply didn't have the resources for them.

In addition, we were continually running into the narcotics problem in our organized crime investigations. So, the joining together of DEA/FBI in a cooperative fashion, I think, was a significant factor in improving the investigation of organizations working within the borders of the United States.

Given all four of those particular problem areas and the initiatives that have been taken, I think that we can look forward to ever increasing accomplishments. But, I don't think it's fair or it's practical to look to law enforcement to be the total solution to our narcotic problem. It is not and it's not going to be.

Mr. Akaka. Thank you.

Admiral, would you like to comment?

Admiral Stabile. Just a few comments. I certainly agree wholeheartedly with the comments of my colleagues.

The only other thing I would add is that with regard to some of the institutions that we have, and I mean such things as NNBIS, and the Attorney General's task forces, I think time is needed to develop full skills in the use of these tools, These are new tools coming on scene, and they are not easily used. They are complex mechanisms in some cases, and it is very difficult for some people to understand exactly how they function and how they should function.

The other thing we need time for, at least with my particular agency, is to recognize the additional capability that's coming on line that has not come to fruition yet. Particularly, significant developments in the intelligence area new sensors, and as I mentioned earlier, new hardware that's replacing our old hardware.

New jets, new twin engine helicopters, and the new helicopter capable 270's that are coming on line with sophisticated systems on board are going to add a new dimension to the Coast Guard's capability in the maritime arena.

I wouldn't sell these improvements short. I think it looks very promising.

Mr. AKAKA. I'm glad to see that at least we have, as you mentioned, 41 jets——

Admiral Stabile. Yes, sir.

Mr. AKAKA [continuing]. Within your jurisdiction, and hope that the change in tactics that you also mentioned is improving the situation here.

Another question that I would like to ask particularly to Mr. Lawn is, the different signals that we're getting as members of the committee from local police and from people who are working on a local level.

The local police complain that the administration's aggressive enforcement effort is neither visible nor having much of an impact on the availability of illegal drugs.

And, yet, we hear from you, we read reports, we heard from NNBIS, and we get glowing reports of what's happening and you point also to possible improvement.

How do you explain this dichotomy in views?

Mr. LAWN. Mr. Chairman, as Congressman Gilman mentioned earlier, in the past, those comments have been made, that State and local enforcement agencies have indicated their lack of awareness of Federal programs, their perception that there is a lack of presence of the Drug Enforcement Administration. However, on the other hand, at the recent law enforcement conference in Florida, Chairman Rangel heard from local law enforcement officials that DEA is, in fact, present and sharing information and that the mutual assistance is very good.

We currently have 22 active State and local law enforcement task forces throughout the United States. Our resources are scarce and we believe that this State and local task force procedure is the best use of those resources.

We have asked our officers to submit proposals for additional State and local task forces. These proposals have been received. We have approved the concept in 25 additional areas, and with approval of a supplemental budget request which is pending, we hope to initiate 11 of these 25 new task forces.

As far as our lack of presence in other parts of the country, I believe that is a resource problem. It is solely because we just don't have the DEA personnel presence in those areas. We have talked to U.S. attorneys. I speak to U.S. attorneys several times a week about their perception that DEA is not available.

There are many areas in the country where we have DEA personnel housed temporarily in FBI space in order to work on a particular problem. But, it is a resource problem which we are addressing at this point.

Mr. **Akaka**. Also, I think you remember my statements to Captain Schowengerdt about the task force that was dismantled in Hawaii.

I hope that some effort can be given to reevaluating this task force with the hope that it can be restored. But, you will hear from us. We are sending you a letter about that.

I was able to travel with the committee, and in our travels in Turkey, we learned some things about intelligence that we're not very happy about.

We learned that they were having problems with intelligence there, that intelligence information was not getting to the proper people. For example, we heard that there was a breakdown in intelligence even as to the amount of drugs that were passing through and the source of these drugs.

This appears to be the case in Turkey, and also in Afghanistan. What is your assessment of the situation? And, what steps is DEA taking to remedy this flaw in information gathering?

Mr. **Lawn**. Mr. Chairman, if I could, I would prefer to respond to that question in closed session.

Mr. **Akaka**. Has DEA provided evidence and information to the Government of Colombia to permit it to prosecute its nationals involved in drug trafficking affecting the United States?

Mr. **Lawn**. Yes, sir, I believe we have.

The mutual legal assistance treaty, of course, has not been ratified by the Colombian Government. We are, however, regularly, on a routine basis, providing information to the Government of Colombia.

We have been working very closely with the Government of Colombia, and assist it by furnishing intelligence information, such as we did on the recent raids in March, and in May in Colombia.

We continue to work very closely with Colombia, and we expect that in sum they will ratify the Mutual Legal Assistance Treaty.

Mr. **Akaka**. What steps has DEA taken in crop eradication and crop substitution projects in Thailand, Pakistan, and the nations that you mentioned in South America?

Mr. **Lawn**. We work very closely in those countries where these efforts are funded by INM and by AID. We work very closely with law enforcement entities to ensure the security of these efforts. In those countries where INM and AID are not funded, we encourage the efforts of those particular countries in the area of education and rehabilitation.

But, most of the work in that regard is done through the State Department, through the Office of International Narcotics Matters [INM] and Mr. Dominick DeCarlo.

Mr. **Akaka**. Regarding the DEA report to the Attorney General and to the Director of FBI, can the select committee assume that Judge Webster was consulted, had reviewed the Mullen memo of January 3l, 1984, to Attorney General Smith, and had approved its contents?

Mr. **Lawn**. Yes, sir; in regard to the question of our reporting to the Director of the FBI, we certainly report to the Director of the FBI on policy matters.

In regard to the internal memorandum of which you speak, the Director of the FBI was present during the initial verbal discussions with the Attorney General, and received a copy of the memorandum as it was being furnished to the Attorney General.

Mr. **Akaka**. Admiral, you mentioned in your statement that improvements in intelligence work have been made in the Coast Guard.

Is that intelligence shared with NNBIS or with other members of NNBIS?

Admiral **Stabile**. I'm sure where appropriate, it is. The intent, though, is to provide an operational capability within the Coast Guard that is complementary to what is done in NNBIS. Wherever there is a need for cross feed, it occurs.

We have augmented our efforts by the addition of some 56 persons, split between Washington and other areas on the east and west coast. These specialty trained and capable intelligence personnel to do a variety of tasks oriented toward our own needs. They interface, as necessary, with other elements of the intelligence community.

Mr. **Akaka**. Are there any further questions?

Mr. **Lowe**. Yes, Mr. Chairman.

Gentlemen, I'm not sure that you'll be able to answer these questions because of the positions that you hold. But, let me see if we can put something into focus.

This committee has continually been concerned about what appears to be a broad based fragmented approach to our narcotics enforcement. You have heard the members say this continually, and part of that concern has been because of the continued introduction of different approaches, different task forces, different agencies that are pooling their people.

For a long time now, the administration, the members of this committee, and other Members of Congress have felt that if we had one coordinator, it's been known as the drug czar, to be in charge of the overall narcotics effort and, therefore, have line command and a coordinating, unifying approach or authority.

That has always been met with resistance by members who have testified before this committee, either from the administration or from members of the on line agencies as being objected to because it would be a further layer of bureaucracy.

Yet, what we have heard this morning, especially with NNBIS, is a plethora of cabinet counsels, committees, various sharing from multiple agencies, without regard to a knowledge of who is in charge.

Now that question has been asked at least a dozen times this morning. What I am somewhat concerned about or the question I have is, in 1972 the Drug Enforcement Administration was established, as the basis of its predecessor agency, as the lead agency for drug enforcement in this country. With not only domestic authority, but international authority. I just wonder if you can start out by answering this question. Why, with the cumbersome task force approaches, and I go crazy when I try to list the number of task forces that exist presently, from the south Florida task force to 12 regional, maybe even more regional, task forces, the organized crime drug enforcement task force, the State and local DEA task forces, NNBIS, which is a task force of all of the agencies, and not simply give the Drug Enforcement Administration, which has had the history, the experience, the responsibility, the further resources that would be needed to continue their efforts.

Mr. Revell, you mentioned that in 1982, DEA was joined with the FBI because the FBI learned that organized crime, which the FBI has had historical authority in terms of investigation, you have learned that they are involved in narcotics.

Well, clearly, it seems to me, that the FBI had to know before 1982 that organized crime was involved in narcotics, otherwise it doesn't speak well for the agency.

I know I'm taking a long time, but I want to give you this broad basis of concern. Much of this approach, it seems to me, to be stealing from Peter to pay Paul. Customs, not long ago, and I'd be interested to know if the practice still remains, in New York City and in other cities, Customs takes New York City police officers to assist them in inspecting ships or contraband.

New York City, which has, I don't have to describe to you the crime problem and the narcotics problem, they take their on line police officers to assist Customs.

Yet, Customs is cut back in the number of its inspectors at the very time that they are taking police officers to assist them in their primary function.

INS and Customs are now going to consolidate some of their inspection and land patrol functions, which means that INS is going to pick up some of the narcotic functions. Again, INS, which to my understanding, doesn't have the kind of experience and background in narcotics enforcement as DEA, I'm not sure I understand that approach.

So, could you comment on some of these observations that I've just made? I don't mean to be critical; I just seem to find it confusing that the main resistance to the establishment of an individual with complete access to the President and complete authority to coordinate the drug enforcement efforts in this country, has been continually objected to because it would add another layer of bureaucracy, yet the only thing that we have heard this morning, again without being individually critical, is that a plethora of bureaucracy and the pulling in of 10 different agencies and the sharing of people and personnel.

Mr. Lawn, I'd be interested in your observations.

Mr. **Lawn**. Mr. Lowe, I certainly won't ask you to repeat the question.

Mr. **Lowe**. I'm sorry. I deserve that.

Mr. **Lawn**. The nature of the drug trafficker is such that the trafficker is involved in something more than just narcotics trafficking, and over the years, when the Drug Enforcement Administration or other parent agencies would investigate, they would discover that the traffickers were also involved in weapons offences or some other offence outside the scope of their expertise.

With the formation of the organized crime drug enforcement task forces, we put together the statutory responsibilities of all of the agencies represented here, all of the agencies involved, and we are attacking the traffickers in whatever way we can find to attack them, be it illegal firearms, smuggling, or organized crime.

As far as the reporting procedures, the organized crime drug enforcement task forces are working extremely well. Certainly, there were problems as the OCDETF's were initiated, as there are problems with any new entity.

We can see, based upon the experience of all the agencies involved, and certainly their successes that there are not turf battles. Before 1973 turf battles were a very definite problem, but that is not a problem today.

I, for one, think that the organized crime drug enforcement task forces have been an outstanding initiative and will prove to be successful.

Mr. De Angelus, Mr. Mullen, Mr. Von Raab, Mr. Lawn and I meet regularly to discuss problems that perhaps heretofore we would not discuss, the same is true with Mr. Revell or with Admiral Stabile and his staff.

We are not interested in who gets the credit but how, collectively, we can all do the job better, and I think that is—that certainly is a first in drug law enforcement.

Mr. LOWE. Admiral, could you respond to——

Admiral STABILE. On your question?

Mr. LOWE. Yes, concerning——

Admiral STABILE. Could I voice a Coast Guard concern?

Mr. LOWE. Sure.

Admiral STABILE. Because you want to know why we seem to resist the drug czar concept you're recommending, or pondering.

The Coast Guard is a strange breed of cat, if I may use that phrase. We are a multimission agency. The hardware, for example, that I described earlier is not dedicated solely to drug law enforcement. It has to do many, many jobs, search and rescue, pollution work, fisheries, law enforcement, and so forth, a whole host of other duties, including military readiness for national security purposes. When you have an Agency such as ours, the idea of having a czar that could tell me or the Commandant how to use my resources concerns me greatly.

That's a primary concern to me. Frankly, from Coast Guard operations point of view, I don't see the need for it, in addition to that concern.

So, it's not just a concern. If the commandant or I felt there was a compelling need, I'm sure he would say so.

Mr. LOWE. Admiral, I could appreciate that from where you sit. But, if you could reverse it for the moment and have been seated up here this morning and heard what we heard, wouldn't you feel that just the opposite in terms of the objection, that some——

Admiral STABILE. I do understand your frustration, and I appreciate entirely what the committee is attempting to do.

But, I think Captain Schowengerdt tried to point out that we have to look at this NNBIS creature as something different than a lot of us envision it is.

All it is is an apparatus for getting those who have fundamental responsibilities to do their jobs better. That's all it is. And, when it comes to the drug war, as far as I'm concerned, DEA is the lead agency. When you talk about the drug war in general, there is no doubt in my mind that they are.

But, the DEA could not provide the kind of coordinating mechanism that an NNBIS apparatus does, and I assume the same is true of the investigative task forces.

Mr. LOWE. Mr. De Angelus, is Customs still using local law enforcement to assist in the inspection of ships?

Mr. DE ANGELUS. The only place that I'm aware that we're still using it is in New York City. Mostly at the airports. I don't know if we're still using them on vessels in New York.

Mr. LOWE. You are aware that at the time that this sharing of police personnel for New York City occurred, was the same time that the 2,000 inspectors from your Department were cut out of the budget.

And, I would be interested to know whether that was a request or a budget request that was concurred in by Customs, or whether it was something that, in effect, we all have to deal with budgets and I understand that, but that you had to, in effect, eat?

Mr. DE ANGELUS. It's not the amount we requested.

Mr. LOWE. In other words, I think it's fair to say—for you to understand that you didn't request those cuts?

Mr. DE ANGELUS. No; we did not, Mr. Lowe.

Mr. LOWE. OK. And, you could also understand how the committee would be somewhat concerned that Customs—again, you see, I have a feeling that I like to lead to the people who know their job, to do their job, and not have somebody else come in and try and do their job for them.

And, it just seems to me that training New York City police officers the art of customs inspection is wasted resources, wasted time, wasted money, and also it doesn't do Customs or the country any good to cut back on the very people who have the skill.

Let me turn that around just a little because it ties into the drug czar question.

Mr. DE ANGELUS. I think all of us at this table see the drug czar as another level of bureaucracy, more overhead instead of letting the agencies concentrate on their missions. I don't need another secretary above my Secretary. I don't mean my cabinet secretary——

Mr. LOWE. From what I heard about NNBIS, it just seems to me you've got more than just a drug czar.

Mr. DE ANGELUS. Well, I think that we don't. First, NNBIS focuses on interdiction, not on drug investigation. We do have, despite the fact that we have made great strides over the last 10 years, especially between Customs and DEA, sometimes there are policy matters that we don't settle ourselves, and focus is brought at NNBIS, and at least puts an atmosphere for the settling of those things.

Jack Lawn mentioned that the Administrator Mullen and Jack and I and Commissioner von Raab get together sometimes more than once a month to address these problems and to also address joint activity within our authorities.

Mr. LOWE. I think that in the New York area, that was again the question about NNBIS.

Mr. DE ANGELUS. Well, what are you doing about getting State and locals involved? Well, that's—I personally visited New York and met with the deputy chief concerning that activity to get everyone to do more to concentrate on drugs.

So, what we were trying to do was concentrate from time to time because in an interdiction—in a smuggling activity, when you are out there 3 days with—if you put 400 people on the job, well, the next day, smugglers are not coming there, they are coming some other place. You don't—you don't need 400 people for 1 full year, you need them in and out, and what we were attempting to do was to bring on an ad hoc basis, additional resources to a problem and then pull them off, so that we could hit when people would not expect us to be there, and then pull them away and move on to something else.

So, it was not a case of replacing Customs manpower with New York City police; it was a case of New York City having a drug problem. A lot of the drugs come through New York. When we do some special operations, if they would help us, it would mean more manpower to bear on that problem at that time.

Mr. LOWE. We just came from New York yesterday. I hope the feeling is mutually the other way.

Mr. DE ANGELUS. I hope so, too.

Mr. Lowe. Thank you, Mr. Chairman.

Mr. AKAKA. I'd like to call on my colleague from New York, a valuable member of this committee and a leader of this committee, Ben Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I regretted that we had to go up and meet with one of our other committees and take some time from this important panel.

And, I have reviewed some of the testimony. One of the concerns that we have in this committee is the lack of adequate funding for each of you to perform your tasks, and I know that that's a sensitive area when you get into budgetary requests and the amount of cut backs in those areas.

Do you have—do you feel you have adequate input to OMB when it comes to review of your individual budgets? I know from time to time we in the Congress take on the responsibility of adding some additional funds.

For example. we just did it with the Coast Guard, and in some of the other areas, Customs included. I'm just wondering, do you feel you have a proper input into OMB when it comes to meeting some of these essential responsibilities that you have in each agency?

And, whether OMB is cognizant of your agency and the critical nature of what you are doing, and, Mr. Lawn, do you feel that there is an appropriate review of your needs and you have a proper input into the budgetary requests that your agency makes?

Mr. LAWN. Yes, I do.

Mr. GILMAN. Do you know who in OMB sort of does the oversight on narcotic problems? Do you know whose responsibility that is in OMB?

Mr. LAWN. We do have an individual assigned from OMB who works with DEA on budget matters. Her name is Adrian Curtis.

Mr. GILMAN. Do you have an opportunity to meet with that OMB person directly to review your needs?

Mr. LAWN. Yes, sir. As recently as 2 weeks ago, that individual and several other members came to DEA headquarters in order to discuss some DEA initiatives regarding investigations so, that at some point in the future, when we make some requests for additional moneys for that purpose they will fully understand the need and why we feel that such moneys will be critical.

Mr. GILMAN. Now, is that OMB person one that works just on Justice Department matters, or does he work on all narcotics matters?

Mr. LAWN. I'm not sure what other agencies Ms. Curtis works with.

Mr. GILMAN. Mr. De Angelus, same questions with regard to Customs.

Does your Department have a good rapport with OMB? Are they familiar with the critical nature of your needs?

I know you have been cut back pretty heavily in some areas, and Congress had to come forward on occasion.

How is that rapport and understanding of just how critical these matters are?

Mr. DE ANGELUS. It's very difficult to have good rapport with OMB. It's like my mother-in-law.

Mr. GILMAN. I hope she's not going to be reading this record.

Mr. DE ANGELUS. However, we do have a proper relationship with OMB, and I think there are several factors involved in the budget process.

I think that sometimes we don't do a good enough job of making our justifications to OMB. We don't sell ourselves well enough. Sometimes, the people at OMB are dumb, but, also, the other factor is, you know, we all have requests, and I think if you took all the requests of all the Federal agencies, it's well above $1 trillion, and there's only $500 billion available, and we went for a $700 billion budget with a $200 billion deficit.

So, that process, there has got to be some arbiter in the process, and that's OMB, and with regard to DEA's budget examiner, our budget examiner is Cathy Collins. But, she has a boss who is Jim Jordan, and then there's her boss, Roger Atkins, and I think at his level, our budgets with regard to drugs are brought together and somebody makes a decision.

I would like to be the one making the decision.

Mr. GILMAN. All right now. Who did you say brings all of them together——

Mr. DE ANGELUS. I believe it's Roger Atkins, Atkins' level is where——

Mr. GILMAN. And, what department is he with?

Mr. DE ANGELUS. In OMB.

Mr. GILMAN. In OMB. Roger Atkins brings all of the narcotic——

Mr. DE ANGELUS. I believe that it's all, you know, Justice is under them. Treasury is under them, and, so, it goes to his level, and, of course, he has instructions.

He's got so much money that he can allocate, and, so, then, he's got to make that allocation among the agencies, and I wish we could sell our agency as well as DEA sells theirs.

Mr. GILMAN. You probably heard Congressman Claude Pepper, the gentleman from Florida, this morning, who criticized the administration for refusing to provide the resources needed to adequately expand and staff existing, and I'm quoting from him, existing drug interdiction efforts to implement programs that have been successfully tested.

Do you feel that this is a valid criticism? I know that that's a sensitive question to ask an administrator, but do you feel that your budget has been strained because of some cutbacks by OMB?

Mr. DE ANGELUS. Our budget has been strained. I believe if you're looking at our budget strictly from a drug enforcement aspect, that it has been strained. However, if you also look internally, we have made reallocations within Customs from nondrug areas to drug areas, from nonenforcement areas to enforcement areas.

So, the numbers, which while substantial, are not as—they have not had an adverse effect on our drug activity.

Mr. GILMAN. You are able to make do with the dollars you have?

Mr. DE ANGELUS. We are doing a good job of managing the resources we have.

Mr. GILMAN. Despite the stringent budget you have to live with, do you have to cutback on any of your enforcement activities?

Mr. DE ANGELUS. We have cut back in some areas of lesser priority. As I mentioned earlier, we were the first Federal law enforcement agency, and many agencies, Coast Guard, sprung from—and INS sprung from the Customs Service.

We now perform functions for over 40 Federal agencies, 400 provisions of regulations. Some we do well, some we don't do so well. But, we do, for most of these agencies, because they believe it's more efficient for us to do it by our location, by our presence at 317 places around the country than for them to actually staff to do it.

So that where the wheel squeaks, we apply more resources. If, in fact, the agency is happy with our level of enforcement for them, then we staff at that level. So, consequently, there are some areas, not the drug area, not the pornography area, not the fraud area, Customs fraud area, where we have dropped back.

We have not paid much attention to parrot smuggling over the past 2 years, and, you know, it's—parrot smuggling to most of us, you know, who cares, except for the Department of Agriculture, and the agriculture industry is a very important area.

So, we think we are providing an adequate level for that area.

Mr. GILMAN. There was a pretty serious cutback in maybe for personnel and then Congress restored a number of those. I think the administration suggested reducing Customs by 2,000 positions and Congress restored some 1,600 positions.

Mr. DE ANGELUS. That's correct.

Mr. GILMAN. When your Department was confronted with this reduction in force, did you have anyone to appeal to beyond OMB?

Mr. DE ANGELUS. No; we didn't.

Mr. GILMAN. And, do you have any appeal remedy beyond OMB?

Mr. DE ANGELUS. No, Mr. Gilman, we don't.

Mr. GILMAN. That's the court of last resort with regard to the budget?

Mr. DE ANGELUS. Yes; it is.

Well, excuse me, there is always the Secretary has the option of appealing directly to the President, but, you know, first of all, OMB acts as the arm of the President, and then——

Mr. GILMAN. One arm of the President.

Mr. DE ANGELUS. Well, yes, and, so, if the Secretary had an issue that he didn't have sufficient resources within the Department to reallocate, then he had the option of——

Mr. GILMAN. Do you know if the Secretary took up that problem with the President?

Mr. DE ANGELUS. I do not.

Mr. GILMAN. Going back to Mr. Lawn, do you have a similar problem, I would assume, from time to time? Do you appeal beyond OMB? Do you make any appeal beyond OMB with regard to any of these critical things? Do you try to resolve them in house, content to resolve them in house?

Mr. LAWN. No, sir, as far as having the problem, we have not had the problem in recent years. Certainly in my 2 years in the Drug Enforcement Administration.

Any such problems that we have, we would make our appeal to the Department of Justice, who then would carry the banner for us.

Only on one occasion has that happened, and it was a successful endeavor.

Mr. GILMAN. So, generally, your funding is pretty adequate right now? Is that what you're saying?

Mr. LAWN. Yes, sir, I am.

Mr. GILMAN. About a year ago, I was appalled to be in an agent's vehicle and I said, boy, this isn't the best vehicle I've driven in a long while. It was pretty banged up. I guess maybe that was good for him to be out in some of those areas.

But, he said, yeah, and occasionally we break down while we're on a chase, and I said, and we lose sight of the guy, so how come? He said, well, we had a cut back in maintenance and because of budgetary constraints.

You don't have that problem at the present time?

Mr. LAWN. No, sir; with the funding for the organized crime drug enforcement task forces, many areas that were areas where we were weak have been greatly enhanced, including the automobile fleet.

Mr. GILMAN. We'll run out of gas in hot pursuit. That's good to hear that.

Mr. Revell, what about your agency's problems? Do you have any budgetary problems at all?

Mr. REVELL. Of course, we always have budgetary problems. When we assumed our concurrent jurisdiction responsibility, we had no agents budgeted for narcotics. We had none budgeted until the organized crime task forces, which gave us 334 positions. At the present time, we have a burn rate of 1,087. So, we had to absorb those from other programs. They have come out of our organized crime program—the traditional investigations. They also have come out of white collar crime program and other areas.

We are recouping some of these through the budget process, and we have been satisfied with the support that we have been receiving. But, you can't create a force of 1,000 agents and not have serious reductions in other areas.

Of course we had to realign our priorities and reduce services at the lowest level of priority while maintaining the services at the highest level. Some areas of national priority, such as organized crime and its labor racketeering are readdressed with resources in the 1985 budget.

Mr. GILMAN. You were able to manage to do that within the agency without finding too heavy a strain?

Mr. REVELL. Well, we're just not able to do some of the things that we would like to do, but we are going to do the best we can with what we have. Obviously, we can't have everything in times of budgetary constraints to do all that we would like to do.

Mr. GILMAN. Do you feel then that proper resources have been afforded to your agency to accomplish what needs to be accomplished in this area?

Mr. REVELL. Yes, sir; we are saying we can do what's demanded of us with what we do have.

Mr. GILMAN. Thank you. And, Admiral Stabile, the same questions.

I know we had to come forward and help out a little bit with Coast Guard. How are you folks doing out there on the line?

Admiral STABILE. Well, I think we are doing as well as could be expected under the conditions.

I mentioned the new hardware coming on line, and we're certainly very grateful for the moneys which the Congress has provided to replace some of our older hardware.

And, I think our productivity should show an increase as a result of those new assets. Like everybody else, you can always use more resources, but the problem is one of priorities and allocation.

On the people side, we've had to shift priorities as was indicated down the table here, and take assets from some activities of lower priority to dedicate to the drug enforcement war.

That's not necessarily a bad thing to do. I think it's probably been healthy for our organization. We have done that since 1790 in one way or another really. Rolling with the times and changing with the priorities of the Nation.

So, I feel comfortable with where we are. Our life is a little bit complicated because we are an armed force, and because we are very multimission.

For example, it's not always obvious what moneys and resources are being applied to something like the drug enforcement area because the ship that goes out to do the six other missions is also out there for drug law enforcement. That makes it a little difficult to sort out.

Mr. GILMAN. As a committed branch of our armed services that has worked so effectively in the drug enforcement effort, are you convinced that our armed services are doing all that they can and should be doing in working on this problem?

Admiral STABILE. I really have no way of knowing that. On the other hand, having periodically played in my military role in many war games, I understand the challenges that the DOD has in meeting the projection of power and the threats of the other side around the world.

I think we underplay their problems, in having to develop the kind of expertise, specific exercises, tactics, reliability of hardware, for their military power projection role.

I find the DOD people I deal with very understanding, but I tend to understand their problems, too.

Mr. GILMAN. Well, I think we all recognize how varied and how extensive their problem is in providing for national security. But, something you mentioned yourself that we can't fully appreciate all of the amount of contribution that the Coast Guard renders because you may be out on another mission and at the same time, doing some surveillance and providing information.

It seems to me that our military that is so widespread could be doing a lot more of the same kind of activity that you are engaged in, instead of pulling them in kicking and screaming. I'd like to see a lot more volunteering on their part to come to this effort.

Admiral STABILE. I think it's getting better—Mr. Gilman, I really do. Particularly as we are able to provide people to brief the DOD people on just what it is we're looking for.

Mr. GILMAN. Does your Department—does the Coast Guard do a lot of that briefing to the military?

Admiral STABILE. Yes, we do. Our LEDET's (law enforcement detachments that we have developed on both coasts) ride with Navy assets, and as a matter of law, perform law enforcement boarding themselves, using the Navy platform.

The Navy also provides towing assistance, surveillance assistance, as well as other forms of help. Part of the problem has been our own—the requirement for the Coast Guard to get up to speed and do our job with the DOD.

Mr. GILMAN. Are you up to speed now in getting them into line?

Admiral STABILE. We're getting there, sir.

Mr. GILMAN. Well, all right.

Admiral STABILE. We're trying to increase the level and tempo of the training we provide, and spread familiarity with the drug interdiction mission among the various DOD units that we work with.

Mr. GILMAN. Now, we all recognize how sensitive an area it is when we get into criticizing budgetary proposals and budgetary resources that are available.

But, you've all now told us that you are pretty comfortable with what you have. If you're comfortable with what you have and you don't see any critical areas, then I would assume that Congressman Pepper's criticism doesn't have much substantiation. And, yet, we, in this committee, see that there is some merit to a lot of this criticism.

How do you feel about what Congressman Pepper had to say today that there are some serious needs out there that aren't being addressed? Admiral?

Admiral STABILE. On the interdiction side, what we need, is time. For example, the Coast Guard has been putting points on a curve, and finding out what a given level of capability and assets will do because there is no way to really forecast it.

It's difficult to predict what the actions of the other side will be, and we're learning as we go up. When I started in this game my first year in Miami, our interdiction rate might have been 10 or 12 percent. By the time I left 3 years later, we were getting better and smarter. Now we estimate very roughly that our interdiction rate might be up to 30 percent in that area.

It takes time to sort these things out. I would not want to advocate, for example, pouring all of our eggs into the interdiction basket. I think my colleagues have made that point very well, that we need a mix. We need demand reduction, we need eradication, we need to change some of our laws, perhaps stiffer penalties, mandatory sentencing, bail bond procedure improvements, and so forth.

There's a whole host of things that have to be done, and I think we have to tackle the whole strategy a little bit at a time and see what it buys us. One of the most difficult things, whether it be OMB or the President, the Congress, or anyone else, is to decide where to put your money.

And, you need some empirical data in order to make that assessment. It's very difficult to arrive at.

Mr. **Gilman**. All right. Now, you're hitting another very critical point. Who sits with you to try to divide up this pot of money for narcotics efforts?

Who sort of is the central authority in trying to direct where these priorities should be?

Admiral **Stabile**. Well——

Mr. **Gilman**. All of your agencies now, you all have some needs out in the interdiction enforcement effort.

Admiral **Stabile** [continuing]. I think it's a combination. I don't know if my colleagues might be smarter than I am. Would anyone else want to tackle that?

Mr. **Gilman**. Do you sit together? Is there some central authority that——

Admiral **Stabile**. Not on budget.

Mr. **Gilman** [continuing]. Divide these up and where the priorities ought to lie? No, you're all off on your own——

Admiral **Stabile**. But I think the natural mechanism is——

Mr. **Gilman**. Is that correct? You're all individual——

Admiral **Stabile**. Individual, but our OMB examiners look for what we will get for a particular investment. I feel somewhat sanguine that there is some cross checking within OMB and some philosophy as to well, Ben Stabile of the Coast Guard can catch 50 more guys if I give him $100 million and DEA says for $10 million, they'll give me 2,000 arrests. I don't know.

Mr. **Gilman**. That's what I'm looking for. Who sorts all of that out?

Admiral **Stabile**. It has to be at least at the OMB level. The executive counsel that Captain Schowengerdt mentioned, I'm sure, discusses in some broad sense whether there should be a movement of effort from one arena to the other.

I don't know because I'm not privy to that counsel. But——

Mr. **Gilman**. Now, do you ever have disagreements with OMB? I assume you must.

Admiral **Stabile**. Yes, sir; at least twice a week.

Mr. **Gilman**. And, do you have any higher authority that you go to if you can't resolve that?

Admiral **Stabile**. We can go to the Secretary. She is a cabinet officer. That hasn't been frequently necessary.

Mr. **Gilman**. Have you had to do it?

Admiral **Stabile**. As far as budget matters are concerned? Perhaps once or twice.

Mr. **Gilman**. Were you successful?

Admiral **Stabile**. I'm trying to recall. I think that was more trying to override the lower levels within the department, rather than overriding OMB.

We have had occasions where we would persuade an assistant secretary for budget to go to bat for us with the OMB. The results have been a mixed bag. I'd say sometimes successful and sometimes not.

Mr. **Gilman**. Anyone else have some comment about this problem? Mr. Revell?

Mr. **Revell**. Well, there are mechanisms I'm familiar with. One is Dr. Turner's group at the White House, on which all of us who have a responsibility sit. They do develop a budget crosscut on narcotics matters. In that office there is at least a focal point for viewing the agencies to see what they are going to dedicate to narcotics activities, whether it be overseas through I&M, through interdiction or through investigative aspects.

In addition, the Attorney General—the cabinet council on legal policy that the Attorney General chairs, looks at the agencies and their involvement from a matter not so much of budget, but from a policy standpoint of activities they are going to undertake.

Then, at the OMB level, of course, there is integration of these various budget requests based upon the overall strategy that the Government is taking.

So, while you don't have one central budget control function, I think that the interrelationship with these various activities do bear upon the budget responses of the agencies and the review process.

Mr. **Gilman**. Would you know whether the cabinet council sits in with the OMB people in trying to sort out the priorities?

Mr. **Revell**. I do know that from the enforcement standpoint there are a number of meetings and conferences where we discuss overall strategy, the enforcement activities, and how they are going to be funded.

The bringing in of the interdiction activities of the Coast Guard, Customs and so forth, occurs at a level in which I'm not personally involved. But, with the investigative activities of DEA, FBI, and those involved in the OCDE task forces, there is this type of process.

Mr. **Gilman**. Mr. De Angelus, do you have any further comment?

Mr. **De Angelus**. No, I don't.

Mr. **Gilman**. Mr. Lawn.

Mr. **Lawn**. Mr. Gilman, I think just to reiterate what Mr. De Angelus that some problems with funding requests being denied are the faults of the agency in not presenting a strong enough case.

So, as Mr. De Angelus indicated, very often, the fault is our own, and then not outside the agency.

Mr. **Gilman**. I think it was Mr. De Angelus who mentioned that you meet occasionally or quite regularly. How frequently do you folks meet together in an interagency consultation?

Mr. **Revell**. Incessantly. We have a number of committees and functions. Mr. Lawn and Mr. Montesaro, the chief of operations, and I talk daily. We all sit on a number of committees. One in the White House, the NNBIS Committee, and others, meet on a regular basis, and we have bilateral contacts on a daily basis as the needs require.

So, there is no paucity of opportunities for us to discuss mutual problems and to ensure clear communications.

Mr. GILMAN. You say how frequently is that?

Mr. REVELL. I deal with DEA daily.

Mr. GILMAN. Well, besides the day to day discussions——

Mr. REVELL. We have monthly meetings at the White House.

Mr. GILMAN. Who has these monthly meetings?

Mr. REVELL. Dr. Carlton Turner chairs the White House working group on narcotics.

Mr. GILMAN. And, who comprises that working group?

Mr. REVELL. Mr. Lawn, Mr. De Angelus, myself, the commandant, Admiral Gracey, and the agency heads are the participating members, and the operations chiefs are generally at the meetings.

So, these meetings are at either the operations chief or the agency chief level, and we have the operations chiefs meet on about a bimonthly basis to discuss operational activities.

Mr. GILMAN. Now, at these working sessions of the working group, if you had a budgetary problem, would you bring it up at that session?

Mr. REVELL. With Dr. Turner, it's very possible that we would bring it up. At the operations chief level, we might mention it, but it wouldn't be resolved at that level.

Mr. GILMAN. And, have you brought up budgetary problems with Dr. Turner, and have they been resolved?

Mr. REVELL. I have not brought up any. I don't know about any other agencies.

Mr. DE ANGELUS. We have not.

Mr. LAWN. No.

Mr. GILMAN. What sort of things do you get into with Dr. Turner at your working meetings?

Mr. REVELL. We generally discuss all points of the Federal strategy, not only interdiction and investigations, but overseas eradication, crop substitution, intelligence, and also the health agencies and the White House efforts at reduction of demand, which I think is of coequal importance to everything we are doing.

So, this is an opportunity for each of the agencies to look at the broad spectrum of the narcotics problem.

Mr. GILMAN. Do you work with a Federal strategy outline?

Mr. REVELL. Yes; the 1982 strategy is the document that has been in force since that time, and a new one is being developed.

Mr. GILMAN. Who is developing the new strategy?

Mr. REVELL. This committee and the agencies that participate in it.

Mr. GILMAN. You are at work now in developing a new—and when will that be published?

Mr. REVELL. Later this year. It will be in——

Mr. LAWN. They are anticipating June.

Mr. GILMAN. And, on—just the working group is at work on the new strategy, is that right?

Mr. REVELL. Well, the agency heads also, of course, are involved in the policy issues.

Mr. **Gilman**. Do you find that that's a worthwhile and an effective discussion on strategy? Do you get into some important aspects of the battle?

Mr. **Revell**. I do, yes, sir.

Mr. **Gilman**. And, do you feel you get solid input into where you're going on strategy?

Mr. **Revell**. Yes.

Mr. **Gilman**. I thank the panel. Thank you, Mr. Chairman.

Mr. **Akaka**. Thank you very much. Thank you very much, Mr. Gilman. I want to thank you gentlemen, Mr. Lawn, Mr. De Angelus, Mr. Revell and Admiral Stabile for your testimony.

I also want to tell you that we will keep the record of this hearing open for further comment or any documents or materials you might want to add to the record.

And, any questions by members. Is there anything further?

Mr. **Lowe**. No; I just wanted to thank the witnesses.

Mr. **Akaka**. All right. Then, thank you very much.

This meeting is now adjourned.

[Whereupon, at 1:30 p.m., the hearing was concluded.]

[The following material was subsequently submitted for the record:]

U.S. Department of Justice

Drug Enforcement Administration

Washington, D.C. 20537

JUL 13 1984

Honorable Charles B. Rangel
Chairman, Select Committee on
  Narcotics Abuse and Control
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

It was a pleasure to appear before you and the Select Committee on Narcotics Abuse and Control on May 22, 1984. I am enclosing answers to all of the questions posed in your letters of May 8, 1984 and June 18, 1984, except questions 5, 6, and 7 of your letter of May 8. The answers to those questions will be delivered separately in accordance with special handling requirements for National Security Information.

Thank you for the opportunity to appear and to discuss DEA's activities, and for your continued interest and support.

Sincerely,

John C. Lawn
Acting Deputy Administrator

Enclosures

QUESTION #1:

In your testimony, you indicated that there was a supplemental pending for DEA that included additional resources for your State and local task force program. Please provide the details of this supplemental in terms of the amounts requested, the purposes for which funds are being requested, and any copies of justification materials submitted to Congress in support of this supplemental. What is the current status of the request?

ANSWER:

On April 20, 1984, a supplemental requesting 32 positions, 24 FTE workyears, and $4,900,000 was forwarded to the Office of Management and Budget for their consideration. The following items were included:

	Pos.	WY	Amount
• Completion of Environmental Impact Statement (EIS).....	...	...	$500,000
• Augment Domestic Marijuana Eradication base funding...	...	...	500,000
• Provide State and Local Task Force Formalization........	32	24	3,900,000
Total.....................	32	24	4,900,000

The Drug Enforcement Administration requested $3,900,000 and 32 positions to formalize eleven (11) additional State and local task forces. The State and Local Task Force program permits DEA to enlist experienced local police officers in the national drug enforcement effort and thereby maximize the use of Federal resources devoted to the drug problem. By filling the gap between local street arrests and seizures and the complicated Federal investigations of financiers and organizers responsible for the major drug traffic, the task forces serve to reinforce the spectrum of drug law enforcement activity.

The additional task force resources would be located in the following cities: San Antonio, TX; Laredo, TX; San Juan, PR; Charleston, WV; Atlanta, GA; Seattle, WA; Honolulu, HI; New Orleans, LA; Providence, RI; Wichita, KS; and Chicago, IL. Urgent local enforcement needs forced DEA to provide startup funding to the Honolulu, San Juan, and New Orleans task forces from existing State and local task force funds, thereby reducing funds for the existing 22 State and local task forces. Granting of this request would allow DEA to restore task force funding that was reduced in order to establish these three, and to fully fund Honolulu, San Juan, New Orleans as well as the other eight locations.

The eleven cities selected were chosen from over two dozen considered locations. These eleven were chosen based on the potential impact of drug trafficking in these locations as a result of consolidation of the various efforts already underway by the Federal, State and local law enforcement agencies.

Final action on our supplemental request is pending.

QUESTION #2:

Your prepared statement on page 2 provides domestic drug seizure data. Do these data reflect DEA seizures only or do they include seizures of all Federal agencies? If the latter, please provide similar information on DEA domestic drug seizures.

ANSWER:

The data provided with regard to domestic drug removals represents all seizures in which DEA was involved. It includes such categories as: Customs Cooperative Cases, Customs Referral Cases, Coast Guard Cooperative and Referral Cases, State and Local Cooperative Cases, State and Local Task Force Cases, etc. It does not include those cases which other Federal agencies may have worked unilaterally.

QUESTION #3:

On page 5 of your prepared statement, you provide data on OCDE arrests, convictions and asset seizures. Do these data reflect DEA accomplishments or are they the combined results of all agencies participating in the OCDE program?

ANSWER:

The data provided relative to the Organized Crime Drug Enforcement Task Forces represent DEA input only. Comprehensive OCDETF statistics are maintained at the Department of Justice.

QUESTION #4:

a) How much marijuana do you estimate was grown domestically in 1983?

ANSWER:

The most recent Narcotics Intelligence Estimate (NIE-1982) indicates that 15 percent or 2,000 metric tons of the marijuana supply comes from domestic sources. As you know, estimating the unknown is a very difficult task. We can report that in 1983, 3.8 million marijuana plants were destroyed. With the exception of California and Hawaii, this figure represents approximately 90 percent of the plots identified by Federal, state and local law enforcement agencies.

Q. b) Of this amount, how much were you able to eradicate in your domestic marijuana eradication/suppression program?

A. In 1983, Federal, state and local law enforcement agencies seized 3,793,943 plants or approximately 80 percent of the total plants sighted.

Q. c) How much of your budget for FY-1983 was dedicated to marijuana eradication? How much for 1984? What have you requested for this purpose in FY-1985?

A. DEA's 1983 budget allocated $2.4 million to the Domestic Marijuana Eradication and Suppression Program. This amount did not include the salaries and expenses of three staff coordinators, a secretary, a pilot, a full-time field agent and 60 special agents who worked on a part-time basis in the program. The $2.4 million also did not include the training provided to state and local officials by four special agents during the first six months of FY-1983. The costs for all of these activities were absorbed in our regular domestic enforcement account. A conservative estimate for the entire program in FY-1983 was approximately $4.7 million.

DEA's FY-1984 budget allocated $2.5 million to the Domestic Marijuana Eradication and Suppression Program. This amount did not include the salaries and expenses of three full-time staff coordinators, a secretary, a full-time training officer at Glynco, approximately 15 percent of DEA's Air Wing personnel, support personnel for 24 training schools, 50 special agents who worked part-time as state coordinators, the $800,000 to California for air support and $900,000 for the Environmental Impact Statement (EIS). Again, these costs were absorbed in our regular operating accounts although with greater difficulty than during the previous year.

In FY-1985 we anticipate allocating $2.5 million to the Domestic Marijuana Eradication and Suppression Program. We would expect the other associated costs to be fairly comparable with FY-1984 expenditures.

Q. d) Given our international treaty obligations to eradicate domestic marijuana cultivation, and also given the need to demonstrate our resolve to eliminate domestic marijuana production in order to persuade foreign source countries to undertake similar aggressive efforts, do you think your domestic marijuana eradication program is given a high enough priority in terms of resources?

A. The Domestic Marijuana Eradication Suppression Program is one of the most highly visible programs in DEA. DEA officials regularly make presentations on the program at meetings of state law enforcement officers, the International Association of Chiefs of Police (IACP), the International Narcotics Enforcement Officers Association (INEOA), the Sheriff's Association and the State Drug Enforcement Alliance. Headquarters Staff Coordinators from the Cannabis Investigations Section frequently make presentations to the individual Law Enforcement Coordinating Committees (LEECs).

The Domestic Marijuana Eradication and Suppression Program was one of the two programs recently discussed at a White House briefing for the President as an example of Federal drug enforcement efforts. The program has not limited itself to traditional law enforcement agencies, but sought out joint efforts with the Departments of Interior and Agriculture. In all, we believe the program enjoys high visibility and a successful list of accomplishments. We believe that our FY-1985 budget request is appropriate and necessary to continue the kinds of successes the program has had during the two fiscal years.

QUESTION #5:

Please describe Operation TRAMPA II mentioned on page 4 of your prepared testimony. What result has the operation achieved?

ANSWER:

TRAMPA II which began on October 22, 1982, is an air and sea special marine interdiction and intelligence operation in the Caribbean. Through aircraft overflights of the Northern coastline of Colombia, the Bahamas and other target areas, the operation reports sightings of vessels and aircraft suspected of smuggling contraband to the East and Gulf Coasts of the United States. The intelligence acquired in this operation is provided most often by EPIC to the U.S. Coast Guard and U.S. Customs for appropriate action.

Most vessels reported to be involved in drug smuggling in the Caribbean are "motherships". For the most part, mothership operations resemble the modus operandi used by the smaller privately owned and operated vessels. The only significant difference from the smaller vessel modus operandi, other than their commercial character, appears to be that "motherships" are operated mainly by source country trafficking operations rather than by U.S. based groups. In most cases, these organizations are Colombian.

While "motherships" are believed to haul the majority of the Colombian marijuana smuggled via the Caribbean, they are not the only type of vessels so employed. In terms of the number of vessels, traditional commercial fishing vessels play a significant role in the smuggling of drugs along the southeastern coast.

With the increase in "mothership" operations, intelligence also indicated an increase in air smuggling. Consequently, OPERATION TRAMPA II was expanded to include the sighting and reporting of aircraft suspected of smuggling illicit drugs to the U.S.

As of June 27, 1984, and since its inception in October, 1982, Operation TRAMPA II has resulted in the seizure of 464 vessels; 3.853 million pounds of marijuana; 7,962 pounds of cocaine; 163 pounds of hashish oil and 2.2 pounds of heroin. It has also brought about the arrest of 1,598 defendants involved in drug smuggling and drug trafficking.

QUESTION #6:

State and local law enforcement officials have told us that NNBIS, the OCDE Task Force Program and the South Florida Task Force on Crime have confused their established relationships with DEA, Customs, Coast Guard and the FBI and disrupted coordination. Many of them support giving DEA the clear authority and responsibility for cooperating with State and local agencies on drug enforcement matters. What are your reactions to these statements?

ANSWER:

The number of interagency coordination mechanisms in the area of drug law enforcement has significantly increased during the past three and a half years as a conscious and deliberate attempt to bring the greatest number of Federal resources to bear on the drug trafficking problem. Through mechanisms such as the OCDE Task Forces, NNBIS and the South Florida Task Force on Crime, the Administration has been able to enlist the active participation of the FBI, the Department of Defense and the Internal Revenue Service in the national drug law enforcement effort. Several years ago, their support and participation were at best peripheral. Today these agencies are integral parts of Federal drug law enforcement strategy. In addition, the Coast Guard and the U.S. Customs Service, through its specifically approved Title 21 authority have been able to play an increased role in Federal drug law enforcement.

While this proliferation of Federal drug law enforcement may have at first appeared confusing, we believe that these organizational problems are for the most part behind us. Within the OCDE Task Force program, the agencies are working together and realizing significant accomplishments. A gradual implementation of the 13th OCDE Task Force based in Miami is now being done by the Department of Justice in conjunction with all of the participating agencies. One of the key issues to be resolved in implementing the 13th OCDE Task Force is the clearly defined relationship of the Task Force and the other drug coordination mechanisms in the Miami area. During July and August, specific policies and procedures regarding coordination in the Florida and Caribbean will be developed by DOJ and the involved agencies.

Given the massive influx of Federal resources to the drug effort not only in Florida but throughout the country in a relatively short time, it is easy to understand the frustration of the state and local law enforcement officials who told you that these coordination mechanisms or team efforts have confused their established relationships with the Federal agencies. We believe that these organizational difficulties are for the most part behind us and that state and local law enforcement officers have a considerable amount of skills and capabilities to offer all Federal law enforcement agencies involved in Federal drug investigations. We do not believe that DEA should be given the sole authority and responsibility for cooperating with State and local agencies on drug enforcement matters.

By the nature of our mission, DEA carries the "lion's share" for Federal drug law enforcement and particularly state and local participation in this effort. Currently DEA is involved in 23 funded State and Local Task Forces. These Task Forces represent a Federal/State/Local team which in FY-83 arrested 2,701 violators, about one-third of which were in major violator cases. The number of arrests in this category have increased by 30 percent since FY 81. Additionally, DEA arrested over 1,400 violators in FY-83 as part of State/Local cooperative efforts. The combined total of these arrests represent 32 percent of all DEA domestic arrests in FY-83.

Other DEA efforts involving the State and local police include the Marijuana Eradication Program, which continues to expand, and our DEA State and Local training program. In all of these joint efforts, DEA has on numerous occasions enlisted the active participation of other Federal agencies who can in turn offer their expertise and experience. We strongly believe that joint Federal, State and local efforts such as the State and local Task Forces, the OCDE Task Force Program, joint investigations, NNBIS and the South Florida Task Force are totally in keeping with the Federal Strategy to being the greatest number of Federal resources to bear on the drug trafficking problem.

QUESTION #7:

Many State and local enforcement officials in South Florida told us at our conference there on May 14 that DEA does not have enough agents to conduct follow-up investigations and develop drug conspiracy cases based on the intercepts of boats and aircraft in that area. The lack of DEA agents to develop investigations is a complaint we hear elsewhere as well.

Rather than establishing a variety of interagency task forces, wouldn't it be more effective to increase the number of DEA agents so that DEA could carry out the investigative responsibilities assigned to it under Reorganization Plan No. 2 of 1973?

ANSWER:

We strongly believe that there is a need for more DEA agents across the country and our FY-1985 proposed budget and FY-1986 budget request substantiate this position. In FY-1985, we hope to add 28 agents to the Florida/Caribbean area under the 13th OCDE Task Force. The original FY-85 budget request proposed significant increases in agent staffing; however, the budgetary process reduced the proposed increases. In our FY-1984 Supplemental, we have requested 19 Special Agent positions for the eleven new State and local task forces. The supplemental is currently being reviewed by the Department of Justice.

In the FY-1986 budget, DEA is proposing to the Department of Justice and OMB significant increases in agent staffing and we look forward to their support of our request.

With regard to the suggestion that it may be better to increase DEA agent staffing rather than establish a variety of interagency task forces, we believe that both initiatives are needed. We need to sizeably increase our DEA agent strength and at the same time further the cooperation and coordination among all Federal, State and local law enforcement agencies through a variety of interagency task forces and efforts to, in fact, have the greatest impact on the drug traffic.

QUESTION #1:

The Administration has insisted that its narcotics control efforts are working and that the "all-out fight against drug trafficking is producing excellent results." The Administration has claimed major seizures of illicit drugs and arrests of principal narcotics traffickers. Nevertheless, the nation remains awash in the easy availability of heroin, cocaine, and marijuana at prices that continue to fall. If the Administration is waging an all-out effort, what is further needed to obtain a firmer control on the availability of illicit drugs in the United States?

ANSWER:

Before discussing this question at length, we have to realize that for several years prior to 1982, the Federal drug enforcement effort received no increase in resources. During these same years drug abuse was on the rise, and thus, the Federal enforcement effort was unable to fully respond to the trafficking situation.

From FY-1982 forward we have experienced significant increases in our budget, and in FY-1983 significant increases in our agent strength, as a result of the OCDE Task Force program. Further, in the last two or three years we have seen the initiation of new strategies such as the South Florida Task Force and major boosts to existing programs, such as the Domestic Marijuana Eradication Program. These progams, along with OCDE have been very effective. We are confident that these programs, as well as others, will continue to be successful, but we do not expect overnight results against a national problem that was addressed with inadequate resources for a number of years.

To answer your question directly, we need to maintain continued emphasis on the drug enforcement effort. As part of the budget process we will be asking for additional resources in FY-86. We have already made such a request for FY-85, and in fact we have a supplemental budget request now pending for FY-84. Also we must recognize that reducing the availability of drugs requires a broad strategic approach, and is not limited simply to enforcement. Our national strategy for attacking drug abuse includes emphasis on international cooperation, education, treatment, and research, as well as enforcement. Each of these areas must be given continued support.

QUESTION #2:

As the Select Committee held field hearings around the country last year, a unanimous complaint was heard from local police that the impact of the Administration's aggressive enforcement effort is neither visible in their areas nor having much of an impact on the availability of illegal drugs. The Administration, on the other hand, claims that cooperation with State and local narcotics enforcement agencies has never been better, and that these agencies have truly become partners in the Federal effort. How do you explain this dichotomy in views?

ANSWER:

In DEA's experience, we do not find that there are unanimous complaints from the local police about the impact of the Federal effort or its presence. We do not understand how there could be unanimous complaints considering our experience, and we would appreciate your sharing with us any survey that conveys that impression.

Currently DEA is involved with 23 funded State/Local Task Forces. These Task Forces represent a Federal/State/Local team which in FY-83 arrested 2,701 violators, about one-third of which were in major violator cases. The number of arrests in this category have increased by 30% since FY-81. Additionally DEA arrested over 1,400 violators in FY-83 as part of State/Local cooperative efforts. The combined total of these arrests represent 32% of all DEA domestic arrests in FY-83.

Other DEA efforts involving the State/Local police include the Marijuana Eradication Program, which continues to expand, and our DEA State/Local training program.

On the whole, our relationship with the State/Local police remains excellent.

If there are complaints about a lack of Federal impact or presence, then these complaints most likely came from cities in which DEA's resources are limited and DEA cannot fund a Task Force or even provide substantive support. If this is the case, the problem is a resource problem which is not totally under our control.

QUESTION #3:

What type of assistance can DEA and the Administration extend to State and local law enforcement agencies to better enable them to cope with the flood of narcotics in major cities of our nation?

ANSWER:

In recent months DEA has taken steps to expand its presence to cities where little or no DEA presence existed before. The state/local situation is related to the national situation in the sense that what can be done is limited to the resources available. With sufficient resources DEA would be in a position to give additional manpower to its state/local effort; DEA has found that the greatest impact is achieved when DEA and the state/local agencies operate as a team. In this regard, it should be noted that DEA recently reviewed proposals for additional State and local Task Forces. We determined that twenty-five of these proposals had merit. However, funding was only available for eleven and that funding would come from the FY-84 supplemental budget requests.

Other options, of course, include some sort of direct funding program either to expand the size of narcotics units at the local level, or to provide additional operational funds.

QUESTION #4:

Cooperative investigations and arrests in conjunction with law enforcement authorities in narcotics producing and supplying nations is critical to the disruption of narcotics supplies entering the United States. The Committee wishes to know the number of arrests by class of violator and the quantities of opium, morphine base, heroin, cocaine, coca base, marijuana, and hashish seized that DEA special agents have directly assisted their foreign counterparts effect in Mexico, Colombia, Peru, Bolivia, Jamaica, Thailand, Burma, Pakistan, Turkey, and Italy in CY 1983?

ANSWER:

The following statistics reflect the number of DEA/foreign cooperative arrests in nine countries for CY 1983, by class of violator. No data is available for Burma because DEA does not have an office in that country.

	G-DEP Class of Violator				
	I	II	III	IV	Total
Mexico	42	20	183	39	284
Colombia	9	-	13	18	40
Peru	6	9	21	18	54
Turkey	8	3	38	18	67
Italy	20	28	35	7	90
Bolivia	8	2	24	3	37
Jamaica	2	-	2	1	5
Thailand	22	19	216	92	349
Pakistan	4	-	12	-	16

Additionally, we have provided below the statistics for drugs seized as part of DEA cooperative efforts for CY 1983. We should note, however, that our statistics on foreign drug removals reflect only those seizures for which a sample of the seized substance is submitted to a DEA laboratory for analysis. Accordingly, the attached statistics of necessity understate the actual extent of foreign seizures in cases for which there is DEA involvement.

DEA FOREIGN REMOVALS

COUNTRY	HEROIN (kg)	COCAINE (kg)	MARIJUANA (kg)	HASHISH (kg)	OPIUM (kg)	MORPHINE (kg)
Bolivia	-	-	-	-	-	-
Colombia	0	1,101.08	4,332.20	-	-	-
Italy	245.42	-	-	-	2.0	-
Jamaica	-	-	-	-	-	-
Mexico	4.29	407.78	.31	1.0	6.73	-
Pakistan	382.80	-	-	-	-	-
Peru	-	70.02	-	-	-	-
Thailand	629.74	-	5,008.00	-	1,029.90	7.30
Turkey	54.09	-	-	-	-	29.00

QUESTION #8:

Has DEA provided evidence and information to the Government of Colombia to permit it to prosecute its nationals involved in drug trafficking affecting the United States?

ANSWER:

DEA routinely exchanges information with the Colombian Government on cases that are of mutual interest. This information includes leads to ongoing investigations which ultimately are used for the prosecution of defendants in Colombia. This year the Government of Colombia failed to ratify the Mutual Legal Assistance Treaty which had been ratified by the U.S. Government and which provided for the gathering of evidence in the U.S. for the use in the prosecution of nationals in Colombia and vice-versa.

QUESTION #9:

During the Select Committee's study mission in January, a shortage of clerical assistance at DEA operations in Hong Kong and Rome was noted. Is the present clerical support staff adequate in DEA offices abroad? How many additional support staff are needed? Can we support you on this important issue?

ANSWER:

Regarding the position in Hong Kong, DEA is presently waiting for the completion of the background/security clearance of the selected employee. The Rome country office has recently submitted a request/justification for one additional clerical support position. It is anticipated that this position will be approved and an individual selected in the near future. This will alleviate the support problems. The overseas support staffing is monitored closely by DEA's Office of International Programs and is modified where justified. With the addition of agent personnel, the support positions are also increased. To cover temporary absences by support personnel, DEA has added to the Frankfurt, Germany office, a TDY secretary position. This secretary travels as needed within Europe and the Near/Middle East. DEA appreciates the offer of the committee to assist but feels that their support is not presently required.

QUESTION #10:

On March 20, 1984, U.S. Ambassador Lewis Tambs announced the capture of a cocaine processing plant in the Llanos region of Colombia and the resulting seizure of 12.5 tons of cocaine. Since this announcement little mention has been made of this raid. How many people have been charged as a result of this raid? How much coca paste and cocaine were seized. What would be the estimated total cocaine production annually of the seized facilities? How many trucks, airplanes and other equipment have been seized? How many cocaine processing sites were seized during the raid? What role was played by DEA in the investigation leading to the raid? What evidence supports the allegations that there was communist involvement at this cocaine processing plant?

ANSWER:

Between March 10, 1984, and March 16, 1984, based on intelligence furnished by DEA, the Colombian National Police conducted a series of raids on six clandestine cocaine processing laboratories in the remote Eastern region of Caqueta Department in Southeastern Colombia. Forty-one violators were arrested and 8,530 kilograms of cocaine HCL and 1,500 kilograms of cocaine base were seized. Additionally, seven aircraft and an assortment of weapons were seized. We estimate that these labs could have produced about 20,000 lbs of cocaine per month.

On April 6, 1984, based on intelligence gathered from the March 10, 1984 raids, elements of the Colombian National Police raided a clandestine airstrip and cocaine processing laboratory in the jungles of Caqueta Department. Within one-half mile of the laboratory site, a camp of the FARC, a communist guerrilla faction, was located and raided. The raids lend credence to the allegations that a definite relationship does in fact exist in Colombia between the cocaine traffickers and the FARC.

On May 12, 1984, again based on intelligence gathered from the Caqueta raids and further investigative methods, the Colombian National Police raided another clandestine airstrip and cocaine processing laboratory in a remote jungle area of Colombia. Five violators and 250 kilograms of cocaine base were seized.

QUESTION #11:

What efforts have DEA agents in Peru, Bolivia, Colombia, Thailand and Pakistan made with their law enforcement counterparts to encourage narcotics crop eradication and crop substitution projects?

ANSWER:

Inasmuch as enforcement is a program usually attached to crop eradication and crop substitution projects, which are usually funded and administered by INM and AID respectively, DEA encourages its law enforcement counterparts to provide the necessary security to insure that these projects can develop properly in an unhostile environment. DEA supports the concept that eradication is our ultimate goal in source countries and that an enforcement program has to be linked to any project that proposes these exercises to curb narcotic production. In source countries where INM and AID do not fund such programs, DEA uses its office to promote an awareness of the drug trafficking problems and encourages the development of a viable narcotics control program that includes eradication and crop substitution.

QUESTION #12:

What is the present status of the proposal to withdraw DEA from the Civil Service and place it in the excepted service?

ANSWER:

The proposal to withdraw DEA from the Civil Service and place it in the excepted service has been cleared by the Office of Personnel Management and is now under consideration at the Office of Management and Budget.

QUESTION #13:

Is the concept of direct reporting to Washington working better than the regional structure used in the past by DEA offices abroad?

ANSWER:

The concept of direct reporting to Washington is working better than the regional structure used in the past by DEA offices abroad. This is true for the same reasons that it is working well domestically. Most administrative and management functions once carried by the field are now being performed at Headquarters, making for a more centralized and consistent program. In the field, less emphasis is given to administrative issues, making for a more streamlined enforcement effort. Also, in the case of the foreign offices, Headquarters management is now better able to coordinate cases involving several countries.

QUESTION #14:

What is the present status of DEA's diversion investigation program in the way of manpower and resources for developing joint programs with State and local agencies?

ANSWER:

The Diversion Control Amendments presently before Congress will amend Section 503 of the Controlled Substances Act by expansion of DEA's State Assistance Program. Given the grant authority, DEA would be in a position to provide selected states with the capability to identify their specific drug diversion problems, assess present capabilities and determine the means to successfully improve investigative techniques, target violators and enhance legislative efforts aimed at controlling diversion.

In anticipation of the passage of this legislation, DEA has requested additional manpower and monetary resources to enable the Diversion Investigations Program to effectively enforce the provisions of the CSA amendments.

Notwithstanding its limited resources, DEA regularly works closely with the states on a daily basis and also has attempted to strengthen state capabilities through the following programs:

- During January and February 1984, the Office of Diversion Control conducted State Board and Drug Control Institutes in Dallas, Texas; Seattle, Washington; and Washington, D.C. The purpose of these institutes was to assist state and local investigators in conducting retail diversion investigations. The three-day seminars were attended by 225 representatives of professional and regulatory boards and law enforcement agencies from 47 states and provided an excellent training mechanism for state officials.

- In preparation for a larger effort after the amendments are passed, the Office of Diversion Control is proceeding with the formulation of a state assistance strategy and the selection of a pilot state.

- Since October 1983, the Office of Diversion Control has represented DEA in the form of speakers or exhibitors at approximately 30 national conventions, including the National Association of Chain Drug Stores, the National Association of Retail Druggists, and the National Association of Boards of Pharmacy.

- The "Physicians Manual" and the "Pharmacists Manual" (100,000 copies and 50,000 copies, respectiely) were published and distributed by the diversion program this year to promote voluntary compliance by health care professionals.

- Automated Report and Consummated Order System (ARCOS) was updated to allow for more timely dissemination of data to state agencies (quarterly instead of annually). ARCOS can now produce reports which isolate and list only top excessive purchasers of drugs in a specific area. This information is being provided to each state on a quarterly basis.

The Office of Diversion Control continues to provide investigative leads and excessive purchase information regarding registrants to State and local regulatory and enforcement agencies. During 1983, approximately 280 investigations involving violative registrants were worked jointly by diversion investigators and state regulatory and enforcement officials. This cooperation is provided on a regular basis.

QUESTION #15:

What is the present number of compliance investigators employed by DEA? Is the number sufficient to carry out this important mission of DEA?

ANSWER:

DEA presently has 166 compliance investigators on board. Of these, 149 are assigned to domestic field operations; 2 are assigned to foreign operations; and the remaining 15 are assigned to Headquarters in Washington, D.C. As previously mentioned, DEA has requested increases in manpower, funding and legal authority to enhance both the Federal government's and the state's efforts directed towards diversion. The major problem of deaths and injuries resulting from diverted pharmaceuticals and the recently documented increasng sophistication of diverters of pharmaceutical drugs require that efforts in these areas be enhanced.

QUESTION #16:

The Select Committee still remains concerned over the concurrent jurisdiction shared by DEA with the FBI. How does the "general supervision" exercised by the Director of the FBI over DEA work? To what extent does the FBI review DEA's budget? If DEA, as the nation's lead drug enforcement agency, supervises the narcotics-related work of the Customs Service, why is not the same supervision performed over the narcotics-related investigations of the FBI?

ANSWER:

Essentially, general supervision means that the Administrator of DEA reports to the Director of the FBI on major policy issues affecting the nation's drug law enforcements efforts. The purpose of this is to insure that there is close coordination of policy development. The Administrator of DEA, however, has a great deal of flexibility in recommending and implementing policy since he has the ulimate responsibility for the successful management and direction of the operational activities of DEA.

Concerning DEA's budget it is necessary for DEA to coordinate its budget with the FBI to insure that there is consistency in policy and programs and to insure that there are no major budgetary conflicts. However, DEA does not submit its budget to the FBI for review or approval.

Concerning the working relationship between DEA and the FBI, it must be recognized that there are areas in which the missions of the two agencies overlap such as the area of drug trafficking by organized crime. Concurrent jurisdiction was given to the FBI to supplement the Federal narcotics effort in general and specifically, DEA, by giving resources to these areas. Also, the granting of concurrent jurisdiction created a coopertive mechanism in which the two agencies could work in coordination. These reasons, along with the fact that the FBI is by nature investigatively oriented, eliminate the need for, and in fact make counter-productive, any oversight responsibilities by DEA.

DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON

JUL 05 1984

REFER TO
MAN-1 E:P:P:E SM

Dear Mr. Chairman:

This is in response to your letter of June 18, 1984, requesting additional information on Customs drug enforcement efforts. Enclosed are responses to the questions raised in your letter of May 8, 1984, which preceded the May 22, 1984, hearings. Per your letter, we have referenced the appropriate pages in the written testimony for most of the questions. Where we felt more information could be provided, we have added explanations in both narrative and chart formats.

Following this information, we have addressed the questions you raised in your letter of June 18, 1984, concerning costs for the Marine Module and Customs/Coast Guard responsibilities. We will be glad to supply any additional information you wish concerning Customs drug enforcement programs.

Yours faithfully,

Rob.t P. Schaff

FOR Alfred R. De Angelus
Deputy Commissioner

The Honorable
Charles B. Rangel, Chairman
Select Committee on Narcotics
Abuse and Control
House of Representatives
Washington, D.C. 20515

Enclosures

QUESTIONS FROM LETTER DATED MAY 8, 1984

QUESTION: Why does the Administration persist in trying to cut the number of Customs inspectors and Patrol officers at a time when drug smuggling is worse than ever before?

ANSWER : As drug smuggling increases, we find that manpower is only one tool which must be used in our drug interdiction efforts. Innovative approaches and the use of new and better technology are just as important.

In the inspectional area, we have established selectivity as the foundation of our processing system. To this end, we have introduced improvements in training and management oversight. Also, we have implemented facilitation programs, such as one-stop processing and red/green systems. These selective measures allow inspectors to focus on enforcement priorities. Major initiatives in clearance of cargo and vehicles have been designed to meet both facilitation and enforcement needs.

Better technology is a key element for Customs inspectors. Working closely with our own Research and Development Division, new devices are being developed, tested and implemented to assist inspectors in detecting contraband.

Technology is also the cornerstone of our enhanced marine interdiction program, as it has been for the air program for the last few years. The marine program has adopted a module concept, patterned on the successful air program. A central feature is the use of sophisticated radar, which had only been used on large, commercial and military vessels prior to the marine module test. The new technology is supported by improved maintenance procedures, which not only will reduce downtime, but which will also free Patrol officers from time-consuming maintenance tasks so that they can carry out their enforcement duties.

The smugglers which we face have more sophisticated tactics and equipment than ever before. We must meet this threat in kind. For the future, our strength will lie in better tactics, strategy, and technology as opposed to relying primarily on increased manpower.

QUESTION: Please update seizure and arrest statistics.

ANSWER : Updated statistics are attached.

QUESTION: The Committee is aware that a proposal has been developed to "consolidate" certain INS and Customs inspection and land patrol functions. Will you please describe this so-called "consolidation?"

ANSWER : Please see pages 22-24 of the written testimony.

QUESTION: Please give the Committee an update on your efforts to acquire military hardware for Customs air interdiction program.

ANSWER : Please see pages 10-13 of the written testimony.

QUESTION: It now appears that Defense will not provide the $11 million Customs needs in FY 1985 to operate and maintain aircraft and equipment used in its air interdiction program. How do you plan to pay for these costs if Congress does not restore the $11 million to your budget?

ANSWER : Please see pages 10-13 of the written testimony.

QUESTION: Please give the Committee an update on your role in the Organized Crime Drug Enforcement (OCDE) task forces and the National Narcotics Border Interdiction System (NNBIS).

ANSWER : Please see pages 14-17 of the written testimony.

QUESTION: We understand that DEA and Customs have reached agreement on a new program under which DEA may authorize Customs to conduct followup investigations of certain Customs seizures. Please describe this agreement and tell us how well it is working.

ANSWER : Please see pages 18-19 of the written testimony.

QUESTION: Are you still using New York Police Department officers to search ships and cargo in New York?

ANSWER : Please see page 18 of the written testimony.

QUESTION: Please outline for the Committee the stepped up efforts Customs has underway with the transportation industry to combat narcotics trafficking on commercial carriers.

ANSWER : Please see pages 19-21 of the written testimony.

QUESTIONS FROM LETTER DATED JUNE 18, 1984.

QUESTION: How much does it cost to establish, maintain and operate a marine module?

ANSWER :

Equipment	$790,850
Operating Costs (Fuel, repairs) @$13,000 monthly	156,000
TOTAL	$946,850

QUESTION: How is your marine module program coordinated with the Coast Guard's responsibilities for maritime drug enforcement?

ANSWER : The distinction between our activities and those of the Coast Guard is the smuggling population with which we each deal. The Coast Guard addresses targets of opportunity on the high seas, while the Customs Patrol addresses specific vessels and vehicles, smuggling groups, marinas, and/or geographical areas. Other than surveillances and information gathering, our operations are generally within 12 miles of shore.

The efforts of the Customs Patrol are directed not only at interdiction on the waterways, but also at the disruption of the United States based smuggling organizations. The latter objective requires an intelligence collection capability for which Coast Guard has neither the mission nor the mechanism.

QUESTION: What assurances, if any, can you give us that your marine module program does not duplicate the Coast Guard mission in terms of the equipment you are acquiring, the areas in which you are operating and the functions you are performing?

ANSWER : In terms of our detection net, and the true motion radar, we see our application of this technology as being different from the Coast Guard. Prior to the implementation of our first marine module, true motion radar of this type had not been used on vessels in the 50 - 60 foot range -- the type we are using as radar platforms. Our use for the device is for detection of smugglers. The overall detection net includes Customs airplanes and vessels equipped with Foward Looking Infrared (FLIR), with a total dedication to drug enforcement. The Coast Guard uses true motion radar on it's 210 foot vessels, where it serves primarily as a navigational device, and only secondarily for detection of suspect vessels.

We feel that the enforcement activities of Customs and Coast Guard are complementary, rather than duplicative. Mutual participation and assistance are requested frequently, and the two agencies expect to join forces on at least five special operations in 1984. Intelligence from both agencies is coordinated through NNBIS. We feel that continued cooperation is essential, with each agency operating where it has the mandate, resources and expertise to further the goals of the Federal drug enforcement effort.

QUESTION: We would also like to know whether the Vice President, Dr. Carlton Turner, the NNBIS Executive Board or any other senior policy-making body in the administration has reviewed the overall maritime drug interdiction mission to determine the functions and resources that are appropriate for Customs and the functions and resources that are appropriate for Coast Guard.

ANSWER : On January 11, 1984, a letter was sent from Assistant Secretary Walker to Admiral Murphy requesting establishment of a working level Joint Surveillance Committee (JSC) to include Customs representation. On April 11, 1984, the first formal session of the expanded JSC was held. A decision was made to address marine interdiction.

PURPOSE: To consider, on an interagency basis, the national capability to provide surveillance and detection of inbound narcotics smugglers and what steps can be taken to improve that capability appropriate to that threat and consistent with other national priorities in both the short and long term.

ISSUES: The JSC is studying and will report on the following:

Marine threat in terms of magnitude, routes, other characteristics, and trends. The report will include a prognosis.

What level of Federal response is appropriate to the threat considering deterrence as well as actual interdiction.

What mix of Federal surveillance and interdiction assets is appropriate and cost effective, and the funding, by agency, to provide the necessary resources.

The report of this comprehensive study is expected to be produced at the end of June 1984.

CUSTOMS ARREST AND SEIZURE SUMMARY

NATIONAL TOTAL

ALL OFFICERS

FISCAL YEARS 83/84

	FY 83	FY 84**
Customs arrests	13,730	10,954
USC Coop arrests	5,269	2,389
Total arrests	18,999	13,343
NCIC arrests	1,671	799
TECS arrests	649	437
TECS/NCIC arrests*	2,320	1,236

*NCIC and TECS arrests included in total Customs arrests

Narcotics seizures (* = seizures in kilos except as noted)

	FY 83	FY 84**
Heroin seizures	285	170
Quantity seized	269.8	144.2
Cocaine seizures	1,731	701
Quantity seized	8,909.7	4,351.9
Hashish seizures	1,829	590
Quantity seized	1,004.4	13,527.2
Marijuana seizures	12,101	5,568
Quantity seized	1,242,261	851,862.6
Opium seizures	103	103
Quantity seized	35.8	24
Morphine seizures	199	147
Quantity seized	27.2	5.4
Other drug seizures	2,862	1,162
Quantity seized (tbs.)	5,592,669	2,958,363
Total narcotics seizures	19,110	8,441

**Through March

	FY 83	FY 84**
Prohibited non-narcotic seizures	25,870	9,893
Vehicle seizures	9,481	3,907
Quantity seized	10,194	4,128
Domestic value	$ 63,911,945	$ 26,206,636
Aircraft seizures	203	86
Quantity seized	211	134
Domestic value	$ 19,104,322	$ 8,592,264
Vessel seizures	405	317
Quantity seized	418	325
Domestic value	$ 33,209,335	$ 16,586,500
Monetary seizures	2,066	903
Domestic value	$ 50,173,822	$ 38,328,186
Gen. Mdse. seizures	36,972	17,191
Domestic value	$142,823,959	$121,827,746
Total non-narcotic seizures	74,997	32,297
Domestic value	$309,223,383	$211,541,332
Total narcotic and non-narcotic seizures	94,107	40,738
Total CF-151 Seizure incidents	84,434	36,435

CUSTOMS ARREST AND SEIZURE SUMMARY

NATIONAL TOTAL

BY OFFICER TYPE

	INSPECTORS		PATROL OPERATIONS	
	FY 83	FY 84**	FY 83	FY 84**
Arrests	9,937	8,626	2,889	1,614
Coop arrests	3,158	1,543	1,007	465
Total arrests*	13,095	10,169	3,896	2,079
NCIC arrests	1,235	599	113	62
TECS arrests	443	242	88	96
TECS/NCIC arrests	1,678	841	201	158

*NCIC/TECS arrests included in total Inspector arrests

Narcotics Seizures (* = less than 1/10 lb.)

	INSPECTORS		PATROL OPERATIONS	
	FY 83	FY 84**	FY 83	FY 84**
Heroin seizures	124	96	62	25
Quantity seized (kilos)	146.4	82.9	86.5	19
Cocaine seizures	889	373	268	107
Quantity seized (kilos)	1,051.1	302.6	5,750.2	3,309.1
Hashish seizures	1,123	344	96	35
Quantity seized (kilos)	545	12,694.9	684.6	12,619.2
Marijuana seizures	9,034	4,034	1,249	594
Quantity seized (kilos)	76,065.4	18,361.5	1,051,890.9	788,468.5
Opium seizures	14	11	9	5
Quantity seized (kilos)	10.5	1.1	8.6	.2
Morphine seizures	5	3	1	4
Quantity seized (kilos)	.1	.1	*	.1

**Through March

	INSPECTORS		PATROL OPERATIONS	
	FY 83	FY 84**	FY 83	FY 84**
Other drug seizures	2,547	1,036	118	38
Quantity seized (lb)	1,550,106	1,156,533	1,394,883	101,701
Total narcotics seizures	13,736	5,897	1,803	808
Non-narcotics seizures				
Probited non-narcotics seizures	21,717	7,582	409	100
Vehicle seizures	8,455	3,369	595	263
Quantity seized	8,905	3,499	727	288
Domestic value	$ 54,141,324	$19,961,291	$ 4,510,268	$ 1,885,580
Aircraft seizures	14	4	113	35
Quantity seized	19	4	116	35
Domestic value	$ 1,120,350	$ 1,097,000	$ 6,097,359	$ 1,790,671
Vessel seizures	24	13	373	302
Quantity seized	24	13	385	308
Domestic value	$ 2,108,640	$ 1,174,200	$28,751,566	$10,969,000
Arms seizures	490	231	212	95
Quantity seized	2,399	13,729	504	326
Domestic value	$ 915,365	$ 956,120	$ 93,544	$ 71,106
Ammunition seized	236	37	106	31
Quantity seized	224,329	2,042	20,882	4,614
Domestic value	$ 13,861	$ 394	$ 6,658	$ 1,191

	INSPECTORS		PATROL OPERATIONS	
	FY 83	FY 84**	FY 83	FY 84**
Monetary seizures	1,558	682	276	86
Domestic value	$ 26,507,380	$14,130,122	$12,925,535	$ 1,415,016
Gen. Mdse. seizures	29,803	13,200	1,546	747
Domestic value	$ 69,100,025	$38,563,682	$27,608,431	$36,437,547
Total non-narcotics seizures	62,297	25,118	3,630	1,659
Domestic value	$153,906,945	$75,882,809	$79,993,361	$52,570,111
Total narcotic and non-narcotic seizures	76,033	31,015	5,433	2,467
Total CF-151 Seizure incidents	69,218	28,215	3,877	1,760

Note: Land Patrol and Marine Patrol were merged in 1983 to form Patrol Operations

CUSTOMS ARREST AND SEIZURE SUMMARY

NATIONAL TOTAL

ALL OFFICERS

CALENDAR YEARS 83/84

	CY 83	CY 84**
Customs arrests	16,464	5,451
USC Coop arrests	4,954	1,269
Total arrests	21,418	6,720
NCIC arrests	1,588	413
TECS arrests	667	236
TECS/NCIC arrests*	2,255	649

*NCIC and TECS arrests included in total Customs arrests

Narcotics seizures (* = less than 1/10 lbs.)

Heroin seizures	310	92
Quantity seized (kilos)	296.7	69.9
Cocain seizures	1,728	329
Quantity seized (kilos)	9,152.8	2,604.7
Hashish seizures	1,660	298
Quantity seized (kilos)	13,193.1	684
Marijuana seizures	12,213	2,922
Quantity seized (kilos)	1,233,896	464,420
Opium seizures	116	74
Quantity seized (kilos)	38.5	17.7
Morphine seizures	237	73
Quantity seized (kilos)	27	3.7
Other drug seizures	2,792	620
Quantity seized (tbs)	7,369,747	347,691
Total narcotics seizures	8,661.8	2,003.6

**Through March

	CY 83	CY 84**
Prohibited non-narcotic seizures	25,140	5,303
Vehicle seizures	9,169	1,986
Quantity seized	9,850	2,104
Domestic value	$ 61,356,708	$ 13,899,835
Aircraft seizures	174	35
Quantity seized	220	40
Domestic value	$ 18,199,045	$ 2,511,750
Vessel seizures	462	156
Quantity seized	474	160
Domestic value	$ 29,293,696	$ 10,318,000
Monetary seizures	1,968	461
Domestic value	$ 58,416,982	$ 15,423,742
Gen. Mdse. seizures	35,892	8,957
Domestic value	$177,858,737	$ 60,356,212
Total non-narcotics seizures	72,805	16,898
Domestic value	$345,125,168	$102,509,539
Total narcotic and non-narcotic seizures	91,861	21,306
Total CF-151 Seizure incidents	82,267	18,923

CUSTOMS ARREST AND SEIZURE SUMMARY

NATIONAL TOTAL

BY OFFICER TYPE

	INSPECTORS		PATROL OPERATIONS	
	CY 83	CY 84**	CY 83	CY 84**
Arrests	12,422	4,199	2,980	933
Coop Arrests	3,060	841	951	233
Total Arrests*	15,482	5,045	3,931	1,166
NCIC Arrests	1,175	317	122	34
TECS Arrests	404	145	125	40
TECS/NCIC Arrests	1,579	162	247	74

* NCIC/TECS arrests included in total inspector arrests

Narcotics Seizures (* = less than 1/10 lb.)

Heroin seizures	135	59	53	14
Quantity seized (kilos)	149.3	17.5	54.4	15.8
Cocaine seizures	879	185	254	49
Quantity seized (kilos)	1,069.3	176.3	6,028.5	1,868.2
Hashish seizures	1,011	169	93	11
Quantity seized (kilos)	12,698.3	97.3	12,654	28.3
Marijuana seizures	9,102	2,140	1,187	295
Quantity seized (kilos)	75,842.8	13,091.7	1,055,717.6	428,862.8
Opium seizures	17	5	8	3
Quantity seized (kilos)	13.3	.3	6.1	.09

**Through March

	INSPECTORS		PATROL OPERATIONS	
	CY 83	CY 84**	CY 83	CY 84**
Morphine seizures	5	1	3	2
Quantity seized (kilos)	.2	.04	.1	.04
Other drug seizures	2,495	552	119	17
Quantity seized (tb)	1,699,754	281,757	1,474,151	21,966
Total narcotics seizures	13,644	3,111	1,717	391
Non-narcotics seizures				
Prohibited non-narcotics seizures	20,726	3,774	272	60
Vehicle seizures	8,193	1,696	545	140
Quantity seized	8,641	1,756	672	154
Domestic value	$51,133,420	$10,257,382	$ 4,527,004	$ 849,226
Aircraft seizures	10	3	83	20
Quantity seized	15	3	84	20
Domestic value	$ 2,000,595	$ 97,000	$ 4,663,211	$1,075,500
Vessel seizures	22	7	433	146
Quantity seized	22	7	442	150
Domestic value	$ 1,804,359	$ 577,400	$25,415,827	$6,096,200
Arms seizures	490	126	20[illegible]	42
Quantity seized	14,509	1,368	553	91
Domestic value	$ 1,763,570	$ 61,057	$ 81,601	$ 50,852
Ammunition seized	179	16	97	6
Quantity seized	166,298	205	13,618	445
Domestic value	$ 12,089	$ 53	$ 4,774	$ 0

	INSPECTORS		PATROL OPERATIONS	
	CY 83	CY 84**	CY 83	CY 84**
Monetary seizures	1,520	331	215	48
Domestic value	$ 27,526,722	$ 6,090,368	$11,276,675	$ 646,111
Gen. Mdse. seizures	28,612	6,560	1,387	379
Domestic value	$ 69,597,520	$19,904,728	$30,824,464	$27,796,529
Total non-narcotics seizures	59,752	12,513	3,239	841
Domestic value	$153,838,475	$36,987,988	$76,793,556	$36,514,418
Total narcotic & non-narcotic seizures	73,396	15,624	4,956	1,232
Total CF-151 Seizure incidents	66,726	14,216	3,474	886

U.S. Department
of Transportation
**United States
Coast Guard**

Commandant
United States Coast Guard

Washington, DC 20593
Staff Symbol: G-CC
Phone: (202)426-4280

C3/OLE3
5730

AUG 7 1984

The Honorable Charles B. Rangel
Chairman, Select Committee on Narcotics Abuse
and Control
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses to the questions you posed in your letter of June 18, 1984.

As you noted, a copy of the Coast Guard Drug Interdiction Study was provided to you on May 21, 1984. This copy included a summary of those parts of the study that have been implemented. Additional resources needed to implement the remaining initiatives will not be known until we have had time to work with the new resources already in the pipeline, determine their best operating characteristics, and evaluate current trends in technology and smuggling strategy technique. As you know, the Coast Guard is attempting to remain on the leading edge of technology with projects such as the tethered aerostat. Ongoing review of additional resources continue to be made as more efficient means of interdicting traffickers are evaluated for use.

I hope these answers will be of help to you and your committee.

Sincerely,

J. S. GRACEY
Admiral, U.S. Coast Guard
Commandant

Encl: (1) Drug Law Enforcement Questions (4)

1. Question: How many people will be assigned to the new intelligence coordination center being established at Coast Guard Headquarters? Have you been authorized any additional positions to staff the center? When will the center be fully operational?

   Answer: Twenty-four people will be assigned to the Coast Guard intelligence coordination center (ICC) - twenty military and four civilians. We have not requested additional positions to staff this priority activity and will do so within authorized strength. We expect to be fully operational in the center this fall.

2. Question: On the basis of your recent test of the ship-tethered aerostat radar, do you currently have sufficient resources to interdict all the targets you can identify with this new surveillance capability?

   Answer: The ship-tethered aerostat is a completely new asset under evaluation by the Coast Guard. Until its capability, use, and deterrence value are determined it would be premature to speak of additional resources. Although initial evaluation results are encouraging, communications and software to best utilize this potential asset must be refined. Additionally, other new resources such as the 270' WMEC and new patrol boats are being procured. They could be of value to the aerostat/cutter team concept, but their full impact is yet to be assessed.

3. Question: When the Committee was in Florida recently for a demonstration of the aerostat radar and briefings on Coast Guard operations in the Gulf and Caribbean, the shortage of Coast Guard personnel was cited as a major factor limiting more extensive use of Coast Guard vessels and aircraft in drug interdiction and other missions.

Do you have enough personnel to assure that you obtain maximum operating use of your vessels and aircraft? If not, how many additional personnel would you need?

Answer: The Coast Guard is presently conducting several long term tests and evaluations of various methods of using additional personnel resources to derive additional operating time from our cutters and aircraft. In Miami, we have a cluster of two patrol boats manned by three crews, which is providing the equivalent of three single crewed boats. The Surface Effects Ship Division in Key West uses a four crew, three cutter plan which provides the equivalent of one extra cutter. The new patrol boats, when delivered, will be deployed in two divisions of six crews for four boats each.

Current planning calls for the augmentation of our larger cutters, the 210' WMEC, and the 378' WHEC with additional personnel to help alleviate the shortage in cutter operating time which will result when these classes of ships undergo the Midlife Maintenance Availability (MMA), and Fleet Rehabilitation and Modernization (FRAM), respectively.

While the initial results of multiple crewing have been favorable, the long term implications of these efforts remain undetermined. Close management attention to the maintenance and material condition of the cutters is essential, in order to insure that they are receiving the same level of support usually provided by a dedicated single crew. Another factor which impacts on the decision to multi-crew vessels is the necessity of homeporting two or more identical, or nearly identical, cutters in the same area. Because of the necessity of providing a wide geographic range of search and rescue, and law enforcement coverage, this is not always possible.

Until the results of the present and planned tests of the methods of obtaining additional operating time from our resources through various multiple and augmented crewing schemes can be fully evaluated, any request for additional personnel for this purpose would be premature.

4. Question: The testimony presented to the Committee by the Customs Service discusses the marine module program Customs is establishing to assist in Customs marine drug interdiction efforts. We are concerned that the equipment Customs is acquiring, the mission these modules will perform and the areas in which the modules will operate will unnecessarily duplicate Coast Guard equipment and operations.

(a) Have you had any discussion with Customs concerning their marine module program? If so, what steps are the two agencies taking to assure that Customs marine modules and Coast Guard maritime drug interdiction operations are coordinated and will not result in wasteful duplication of efforts?

Answer: During the evaluation of the Customs Service's marine module program, daily communications and weekly meetings were held among representatives from the Customs Command Center in Tampa, NNBIS's Miami OIC, the Coast Guard Seventh District Law Enforcement Branch and various working level field units to minimize operational conflicts. A Memorandum of Understanding (MOU) between Coast Guard and Customs, which was signed on July 10, 1978, prescribes the jurisdictional boundaries under which each agency has the authority to operate. The MOU was intended to promote the effective utilization of personnel and facilities through a cooperative effort. Since the evaluation there have been no operational conflicts involving the marine module program. In situations where interest is shared in a case, joint Coast Guard/Customs Service boardings have often been utilized. I do feel, however, that the marine module program could create an unnecessary level of redundancy if expanded into areas where the Coast Guard already has an operational and support infrastructure in place.

(b) Has the Vice President, Dr. Carlton Turner, the NNBIS executive board or some other senior policy-making body in the Administration reviewed the overall maritime drug interdiction mission to determine what functions are appropriate for Customs and Coast Guard and also to determine what resources are appropriate for each agency's role in maritime drug interdiction? If so, what was the result of this review, and specifically what was the decision with respect to the Customs marine module program? If no such review has been conducted, why not?

Answer: Under the NNBIS Coordination Board, a Joint Surveillance Committee (JSC) has been formed to consider, on an interagency basis, the national capability to provide surveillance and detection of inbound narcotics smugglers. The working groups of the JSC will also identify steps to improve capabilities. The Coast Guard has representatives on the JSC and all associated working groups. The JSC review is on-going.

RESPONSE FROM THE FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE

August 16, 1984

Honorable Charles B. Rangel
Chairman, Select Committee on
  Narcotics Abuse and Control
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In your letter of June 18, 1984, you requested that Assistant Director Oliver B. Revell provide the House Select Committee on Narcotics Abuse and Control with answers to those questions posed in your earlier letter of May 8, 1984, which were not addressed in his prepared testimony before the Committee on May 22, 1984. Since his written testimony before the Committee did not address all facets of any one question, I am enclosing a complete set of responses to the questions for your information and assistance.

With regard to the additional questions raised in your June 18th letter, the following information is provided. As of June 23, 1984, there were 1,100 Special Agents of the FBI assigned to narcotics investigations, including the 334 Agents funded by the OCDE Task Forces. Of the remaining 766 Agents, 483 are currently assigned to our Organized Crime Program, of which Narcotics is a sub-program. The other 283 Agents have been temporarily diverted from our Personal and Property Crimes (142) and White Collar Crime (141) Programs.

As to your question about the Julio Zavala case, three subjects of that investigation are considered to be high-level traffickers and were heads of continuing criminal enterprises which controlled 40 other individuals.

I hope this information is sufficient for your purposes.

Sincerely yours,

William H. Webster
Director

Enclosures (10)

Question 1:

In January, 1982, the Attorney General gave the Federal Bureau of Investigation (FBI) concurrent jurisdiction with the Drug Enforcement Administration (DEA) over drug offenses and general supervision over drug enforcement efforts. How much manpower and how much of your budget is the FBI dedicating to drug investigations? (Statistical information for calendar and Fiscal Years 1983 and 1984 would be most helpful.)

Answer:

The number of Agents assigned to narcotics matters is now 1,100 Agents on an annualized basis. This represents approximately 16 percent of the FBI's total direct field Agent work years in investigative matters for Fiscal Year 1984.

During Fiscal Year 1983, the FBI expended an estimated $106.9 million on drug enforcement activities, of which $50.8 million were Organized Crime Drug Enforcement (OCDE) allocated funds. In Fiscal Year 1984, it is estimated that approximately $87.7 million will be expended, of which $30.4 million will be OCDE allocated funds. In Fiscal Year 1985, the estimated $88.8 million to be spent on drug enforcement activities will come entirely from FBI appropriations since this will be the first year the Task Forces will be directly funded by the participating agencies.

Question 2:

The FBI is directly involved in the 12 OCDEs located around the country. What percentage of FBI drug enforcement activities are performed through the OCDE Task Forces? How does the FBI perform its drug enforcement responsibilities outside the OCDE structure? How many Agents are involved inside and outside the OCDE Program?

Answer:

As of June 23, 1984, 55 percent of the FBI drug enforcement resources were being utilized in the OCDE Task Forces. There are currently 571 Agents working OCDE cases. For FY'85, OMB has approved funding for 28 additional Agents to be allocated to implement the thirteenth OCDE Task Force in Florida. The FBI has 529 Agents working other drug-related investigations, for a total of 1,100 Agents involved in narcotics investigations.

With regard to other types of narcotics investigations, we have attempted to align our resources in areas consistent with the FBI's national priorities in narcotics enforcement. These areas include the LCN's extensive involvement in heroin importation and the involvement of outlaw motorcycle gangs throughout the United States in the manufacture and distribution of methamphetamines, PCP, and other controlled substances. Our investigations have uncovered instances of corruption of both public and law enforcement officials, and we are pursuing these corruption aspects aggressively. Extensive effort is being made in conjunction with DEA to develop investigations into the various international trafficking cartels that have had a major impact in both the cocaine and heroin trade in the United States. These groups include significant heroin traffickers from Southeast Asia; western Europe, Sicily in particular; and major cocaine groups from South and Central America. We are working with DEA and various components of the Department of the Treasury (U. S. Customs Service and Internal Revenue Service (IRS)) to trace the flow of money from these operations out of this country in order to identify and seize these assets and develop money laundering cases.

Question 3:

How do you coordinate your activities with DEA? Have there been instances where you have suspected organized crime involvement in drug trafficking, requested DEA cooperation, and eventually discovered that drug trafficking was not involved in the organized crime case under investigation?

Answer:

The "Implementation Directive for Concurrent Drug Investigative Jurisdiction between DEA and FBI," signed on March 12, 1982, emphasizes the necessity of coordinating investigations by the two agencies. The policy encompasses investigative instructions and guidelines regarding the sharing of investigative information, assets and resources, such as access to each other's index and intelligence systems; technical and laboratory support services; and procedures to be followed in handling investigative techniques, i.e., allowing drugs to enter traffic, reverse undercover operations and the use of sham or show narcotics.

Since April, 1982, 684 FBI Agents, assigned primarily to narcotics investigations, have attended a two-week specialized DEA Narcotics School at Glynco, Georgia. We also now have Agents attending DEA administered Clandestine Laboratory Schools, and our New Agents Training Classes are receiving 20 hours of instructions on drug matters, 16 by DEA and 4 by FBI instructors. Conversely, DEA personnel attend FBI sponsored organized crime and money laundering seminars and conferences and executive-level training such as the National Executive Institute.

In furtherance of coordination, both DEA and the FBI have Supervisory Special Agents assigned to their respective headquarters in a liaison capacity to review investigative information and ensure that appropriate individuals are cognizant of DEA and FBI investigative activities. DEA currently has 2 DEA supervisory personnel assigned to our Organized Crime Section at FBIHQ and the FBI has 15 Supervisory Special Agents assigned to DEAHQ in their Administrative and Investigative Sections for familiarization and to enhance coordination and understanding between the two agencies. Three of the FBI Agents are now permanent DEA Officials. This is all part of our continuing effort to thoroughly educate our personnel in the planning and operational aspects of drug investigations as carried out by DEA. Effective field coordination is obtained through joint DEA/FBI investigations and by the field liaison Agents from both DEA and the FBI who effect day-to-day coordination of enforcement activity.

Finally, the Implementation Directive provides that whenever a narcotics or dangerous drug investigation is initiated by either an FBI or DEA field office, that office contacts the corresponding agency field office to determine what involvement or role that agency will play in the investigation.

There are no known instances wherein we have suspected organized crime involvement in drug trafficking, requested DEA cooperation and then discovered drug trafficking was not involved.

Question 1:

What percentage of your fiscal 1984 budget is allocated to your involvement in the OCDE Program? What was the figure for Fiscal Year 1983? What are you requesting for 1985? For 1984, how much of your budget is dedicated to drug enforcement activities other than OCDE involvement? What was the figure for 1983, and what are you requesting for 1985?

Answer:

When the OCDE Task Forces were created, Congress provided a supplemental appropriation to the Department of Justice (DOJ) specifically to fund the Task Forces. In the first year of operation, Fiscal Year (FY) 1983, Congress appropriated $127.5 million for all participating agencies. The FBI received $50.8 million of this amount on a reimbursable basis from DOJ, and in FY 1984, the FBI was allocated $30.4 million on a reimbursable basis. It should be noted that of the $50.8 million appropriated in FY 1984, $23 million were used to purchase voice privacy radio and automated data processing equipment. FY 1985 will be the first year that the OCDE Task Forces will be directly funded by the participating agencies, and for that year the FBI is requesting $30.4 million. For FY 1985, OMB has approved funding for 28 additional Agents to be allocated to implement the thirteenth OCDE Task Force in Florida.

In FY 1983, the FBI expended $56.1 million on non-OCDE narcotics investigations. This year, FY 1984, it is estimated that we will spend $57.3 million and $58.4 million in FY 1985. In FY 1983 and 1984, there was no money appropriated for narcotics investigations. All narcotics investigative expenditures came out of appropriations for other investigative programs.

Expenditures for Narcotics-Related Investigations

	OCDE	Non-OCDE	Total
FY'83	$50.8 million*	$56.1 million	$106.9 million
FY'84	30.4 million*	57.3 million**	87.7 million**
FY'85	30.4 million**	58.4 million**	88.8 million**

*Supplemental appropriation for OCDE Task Forces

**Projected Funding

FBI Field Agents Assigned Narcotics Matters

	OCDE	Non-OCDE	Percentage of Total Field DAWY**
FY'83	186	670	13.2
FY'84	574*	526*	16.3
FY'85	348*	597*	13.2

*Projected Use

**Direct Agent Work Years

Question 5:

What role do informants and wiretaps play in typical drug investigations? Has the use of wiretaps increased since the realignment of the FBI and DEA in 1982? Please provide data on the use of wiretaps by the FBI on drug cases since 1982.

Answer:

Informants and Title III interceptions are essential components in the FBI's narcotics and dangerous drug investigations. It is virtually impossible to penetrate drug trafficking organizations or develop the probable cause necessary for Title III applications without informant assistance. Informants provide introductions and vouch for the credibility of undercover Agents and identify particular phones and/or locations being used to facilitate narcotics transactions, thus enabling us to obtain Title III interception authority. Informant information is also used to initate new investigations, identify subjects and locations, corroborate other intelligence and other informant information, gather evidence via purchases, and develop an intelligence base.

Evidence gathered by wire interception provides direct evidence of criminal conduct and in many instances provides the only direct evidence linking high echelon criminals to a drug enterprise.

There has been an increase in the number of Title III applications since the delegation of concurrent Title 21 jurisdiction to the FBI in 1982. In Fiscal Year (FY) 1981, there were 121 FBI Title III applications. In FY 1982, Title III applications increased to 196, of which 41 were drug related. In FY 1983, the number of applications grew to 277, of which 155 were drug related, and thus far in FY 1984 (as of August 3, 1984), there have been 327 applications, 266 of which were narcotics related.

Year	Applications	Initial	Extensions	Narcotics Related
FY '81	121	80	41	
FY '82	196	110	86	41
Fy '83	277	147	130	155
FY '84 (8-3-84)	327	154	173	266

Question 6:

In the past the FBI indicated that about one-quarter of traditional organized crime investigations involved drug trafficking. How has this figure been altered since the 1982 realinement (sic)?

Answer:

Fiscal Year (FY) 1984 is the only year for which the FBI has retrievable data indicating what percentage of traditional organized crime cases involved drug trafficking. As of July 27, 1984, there were 1,550 traditional organized crime (LCN) cases under investigation. Of this number 291 or 18.7 percent were narcotics related.

In FY 1984, 24 percent (1,700)of the FBI's total field Agents are being utilized in the Organized Crime Program, and of that number 65 percent (1,100) are assigned to narcotics-related investigations.

Question 7:

The FBI is said to possess more sophisticated investigative techniques, such as electronic surveillance. How has the presence of the FBI and the use of this technique been utilized in multisubject drug-trafficking networks? Could you briefly describe some actual successes?

Answer:

As noted in the response to Question No.5, Title III interceptions are essential to drug investigations. The effectiveness of Title IIIs as an investigative technique is best illustrated by two cases:

On January 18, 1984, a Federal grand jury returned indictments charging 53 people with smuggling $3.8 million worth of cocaine into the United States; and on January 21, 1984, arrests were made in Atlanta, Miami, Detroit, Tampa, and Little Rock. This case was a joint investigation by the FBI and DEA. The principal subject was Harold Rosenthal, a DEA fugitive who resides in Colombia, South America, and was supplying large quantities of cocaine to members of the LCN and other major narcotics trafficking organizations. As a result of a lengthy investigation involving Title III electronic surveillance at four separate locations in three different cities, as well as high-placed informant information, large shipments of cocaine were seized at various times and locations upon entering the United States. To date, more than 11,000 pounds of cocaine have been seized in connection with this investigation. Associate Attorney General D. Lowell Jensen states that this case involved the largest cocaine trafficking ring in the Nation's history.

In what has been described by the Attorney General as the most significant heroin investigation ever undertaken by the Department of Justice, 40 subjects were recently indicted and additional indictments are expected. On April 9, 1984, arrest and search warrants were executed in Illinois, Wisconsin, Pennsylvania, New Jersey, New York, and Italy in connection with an international heroin importation conspiracy involving the Sicilian faction of the New York-based Bonanno organized-crime family and their counterparts, the Sicilian Mafia, located in and around Palermo, Sicily. This investigation was conducted by the FBI with support from DEA, U.S. Customs Service, Internal Revenue Service, New York Police Department, and with the close cooperation of Italian authorities.

The crucial evidence leading to the successful solution of this investigation was developed through 70 Title III installations from which over 300 pertinent conversations were intercepted.

Question 8:

Mr. Webster, specifically how do you and Mr. Mullen coordinate the activities of your agencies in the drug enforcement effort? How do you share information outside the OCDE structure and within that structure? Do you share this information with state and local law enforcement officials on a regular basis?

Answer:

The response to Question 3 explained how the FBI coordinates its activities with DEA: the implementation directive, cross-training of personnel, and coordination of drug investigations. In addition, I meet with Administrator Mullen on a regular basis, and we both participate in the Attorney General's Working Group on Narcotics.

An FBI/DEA Headquarters Advisory Committee Group consisting of senior officials of both agencies has been established and has been working earnestly to establish uniform and consistent procedures to be applied in investigative and administrative matters. Initial meetings developed the procedures set out in the "Implementation Directive for Concurrent Drug Investigative Jurisdiction between the DEA and the FBI" which require a complete and free exchange of information between our two agencies.

The Task Force concept has allowed for extensive direct participation for state and local law enforcement agencies, and they have been involved in more than 29 percent of all OCDE Task Force investigations. In any narcotics investigation, whether it be a Task Force case or not, if state or local law enforcement agencies are involved in the investigation, there is a sharing of information.

The extent of sharing in non-OCDE cases will, of course, depend on the extent of the local agencies' involvement, jurisdiction, and responsibilities. The FBI adheres to the need-to-know principle because there are sensitive matters such as undercover operations, Title IIIs, and informants that require security. The FBI is sensitive to the needs of local law enforcement and we do disseminate information to local and state authorities whenever possible. In those instances where we do not disseminate information, this is done not to preclude local law authorities from the investigation but rather to protect informants, undercover Agents, and sensitive investigations.

Question 9:

What impact has the 1982 realignment had on FBI drug arrests, seizures, and forfeitures up to the present time? Please provide data for calendar and Fiscal Years 1982, 1983, and 1984 to date.

Answer:

Prior to the delegation of Title 21 jurisdiction to the FBI in 1982, the Bureau's involvement in narcotics was primarily one of intelligence gathering and dissemination to DEA, with the exception of four experimental joint FBI/DEA Task Forces established in New York, Miami, Chicago, and Los Angeles. The FBI did not separately record drug arrest data prior to October 1, 1983, and prior to August 1, 1983, all drug-related forfeitures and seizures were handled by DEA and the U.S. Marshals Service. On August 1, 1983, the Attorney General delegated to the FBI jurisdiction to administratively forfeit property seized in connection with violations of drug laws.

In Fiscal Year 1984, as of March 1, 1984, the FBI has made 545 drug arrests. In Fiscal Year 1983, there were 728 defendants convicted in FBI narcotics-related investigations, and for the first six months of Fiscal Year 1984, there have been 891 narcotics indictments and 661 convictions. (These figures include Task Force accomplishments.)

Prior to August 1, 1983, pending forfeitures amounted to $14.7 million. From August 1, 1983, to the present, pending forfeitures amount to $35.2 million. It should be noted, however, that the FBI does not evaluate the success of its progress on arrest and forfeiture statistics, but rather on the long-term impact that asset seizures and convictions have on organized crime and drug-trafficking groups in dismantling their organizations and returning their illegal assets to the United States Government.

SEIZURES

The following represent some of the more significant seizures the FBI has been involved in over the past two years. The seizures are documented in individual FBI investigative case files.

	Cocaine		Heroin		Marijuana
1982:					
5/82	62 lb., Miami				
10/82	647 lb., Miami				
10/82	93 lb., Miami				
	802 lb., Subtotal				
1983:					
1/83	440 lb., San Francisco	4/83	16 lb., El Paso	1/83	40,000 lb., New Orleans
2/83	750 lb., Miami	8/83	9 lb., Boston	11/83	90,000 lb., Charleston
4/83	315 lb., Miami	9/83	40 lb., Newark		
4/83	300 lb., Miami	9/83	20 lb., Buffalo		
5/83	110 lb., Los Angeles				
7/83	506 lb., Oklahoma City				
8/83	815 lb., Mobile				
9/83	134 lb., Portland				
	3,370 lb., Subtotal		85 lb., Subtotal		130,000 lb., Subtotal
1984:					
1/84	11,000 lb., Atlanta	8/84	14 lb., Washington, D.C.		
2/84	35 lb., Cleveland				
	11,035 lb., Subtotal				
Total:					
	15,207 lb., Total		99 lb., Total		130,000 lb., Total

In addition, during January, 1983, 900,000 Methamphetamine tablets were seized in Los Angeles.

Question 10

How have joint investigations with DEA been affected over the past three years? What problems, if any, have developed? Please provide data on the number of joint FBI/DEA investigations.

Answer:

From the inception of our closer relationship with DEA, it was recognized that there would be difficulties in bringing together two large complex organizations, each with its own institutional traditions and investigative philosophy. In spite of this, we have reconciled many of our differences and have mechanisms in place, such as the DEA/FBI Headquarters Advisory Committee, to surface and resolve others. We recognize the DEA functions differently than the FBI in some areas and efforts are underway to incorporate the best of both of our agencies into an effective and efficient investigative system.

As of July 27, 1984, the FBI was engaged in 1,906 narcotics-related investigations and of this number, 777 were joint investigations with DEA. In June 1982, there were 180 joint DEA/FBI investigations. A joint investigation means that both the FBI and DEA are either assisting in or are directly involved in the investigation. This assistance can vary from supplying an undercover Agent or show drugs to complete participation in the investigation, as in the Organized Crime Drug Enforcement Task Force cases.

OFFICE OF THE VICE PRESIDENT
WASHINGTON

August 17, 1984

The Honorable Charles B. Rangel
Chairman, Select Committee on Narcotics
Abuse and Control
U. S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

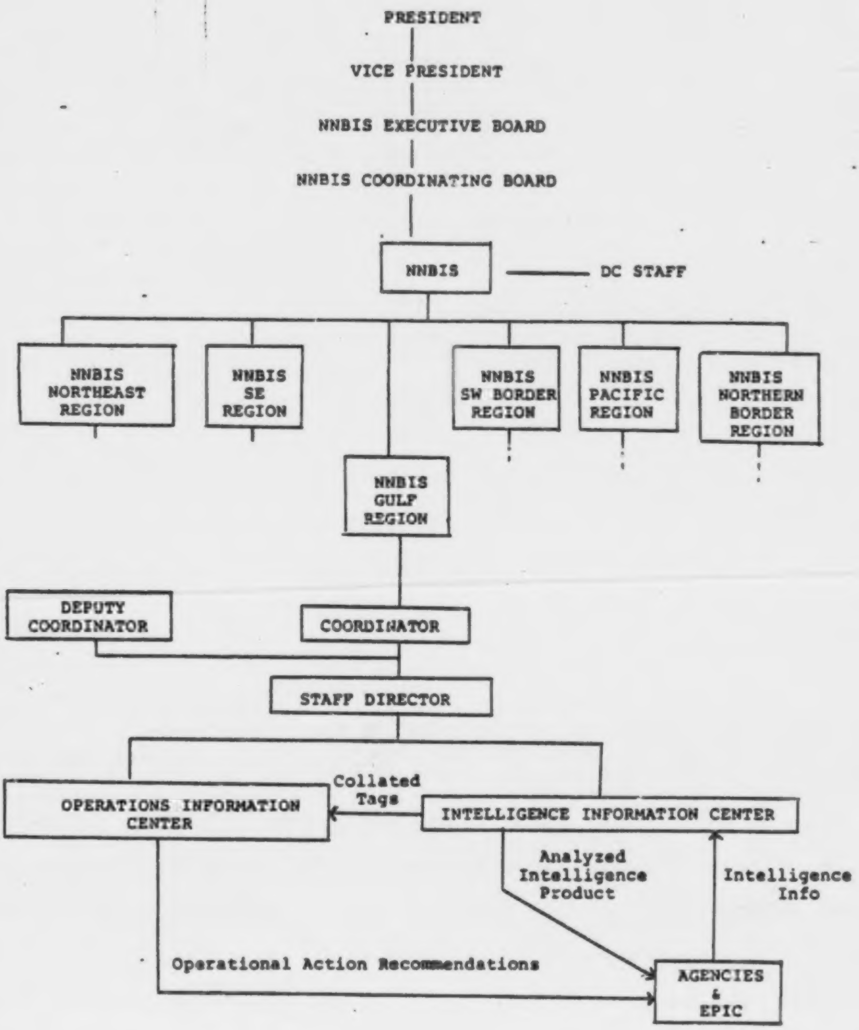
It was a pleasure to appear before your committee and provide a briefing on NNBIS. As you requested, I am enclosing a chart showing the organizational structure of NNBIS and its inter-relationships with the interdiction agencies.

With respect to your questions concerning the Joint Surveillance Committee: its membership includes high level representatives from the Departments of Treasury, Transportation, Justice and Defense, and from the FBI, DEA, INS, Coast Guard, Customs, FAA and the individual military services, as well as representatives from the intelligence community, OMB and the White House Drug Abuse Policy Office. The Joint Surveillance Committee is exploring options for improving the federal drug-interdiction surveillance system across all smuggling modes -- land, sea and air -- and across all agency lines. This includes review of the various agency responsibilities and resources and competing requirements of other missions. It's recommendations should be forwarded to the Executive Board of NNBIS in August. You will recall the Executive Board is chaired by the Vice President; its members are cabinet-level officials.

Answers to the questions appended to your letter are attached. I will be pleased to meet with you again to review NNBIS operations in detail if you desire.

Sincerely,

L. N. Schowengerdt, Jr.
Captain, USCG
NNBIS Staff Director


PRESIDENT
VICE PRESIDENT
NNBIS EXECUTIVE BOARD
NNBIS COORDINATING BOARD
NNBIS
DC STAFF
NNBIS NORTHEAST REGION
NNBIS SE REGION
NNBIS SW BORDER REGION
NNBIS PACIFIC REGION
NNBIS NORTHERN BORDER REGION
NNBIS GULF REGION
DEPUTY COORDINATOR
COORDINATOR
STAFF DIRECTOR
OPERATIONS INFORMATION CENTER
Collated Tags
INTELLIGENCE INFORMATION CENTER
Analyzed Intelligence Product
Intelligence Info
Operational Action Recommendations
AGENCIES & EPIC

ANSWERS TO MR. RANGEL's QUESTIONS

Q. 1. In his January 31, 1984 memo to Attorney General Smith, DEA Administrator Mullen wrote that beyond facilitating military and intelligence community assistance for drug interdiction efforts, "NNBIS has made no material contribution to the Administration's interdiction efforts -- nor should it." Could you please comment on this statement?

Q. 2. If NNBIS should not be permitted to make a "material contribution" to the Administration's interdiction effort do we even need the program?

Q. 4. Mr. Mullen's memo called for NNBIS to be "phased down over the next several months." What is your reaction to this statement?

A. 1, 2, & 4. There were some misperceptions of NNBIS role and its need. Administrator Mullen and Attorney General Smith have both affirmed their belief in the value and usefulness of NNBIS in recent months, and have been fully supportive of NNBIS efforts.

Q. 3. What is being done to insure that agencies which genuinely make seizures and arrests in narcotics cases be given full credit for that work and that such seizures and arrests are not lumped in a NNBIS total?

A. 3. No attempt has ever been made by NNBIS to take credit for seizures. Agencies make seizures, NNBIS only coordinates their efforts. Press releases on seizures are always made by the agency, and the credit is always given to the interdiction agency. Statistics on quantities of drugs seized at or approaching our borders are primarily used for detecting trends in smuggling patterns, and to track the success of all the interdiction agencies.

Q. 5. The New York Times article which appeared on Sunday, May 13, 1984, indicated that Mr. Mullen and Admiral Murphy had met and resolved various differences between DEA and the Vice President's Office concerning NNBIS? What changes have been made in the NNBIS program to respond to Mr. Mullen's criticisms? Does DEA still believe NNBIS should be abolished?

A. 5. The dialogue between Admiral Murphy and Mr. Mullen served to clear up misperceptions about the relationship between NNBIS functions and DEA functions. No changes were made to the NNBIS mission statement or programs; however, some minor modifications in NNBIS procedures were made to obviate any future misunderstandings.

Q. 6. One criticism lodged by Mr.Mullen in his memorandum was that Admiral Murphy was engaging in diplomatic initiatives with the governments of Mexico and Canada concerning the sharing of narcotics intelligence with NNBIS. International narcotics cooperation is clearly a statutory responsibility of DEA and the Attorney General. Why should NNBIS and the Office of the Vice President be interfering in long-standing relationshps with foreign narcotics agencies developed over the last 50 years by DEA and its predecessor agencies? What congressional authority permits the Vice President's Chief of Staff to engage in these efforts?

A. 6. NNBIS coordinates its contacts with foreign governments through the Department of State and the DEA. The purpose of these contacts is to insure that our bordering countries are aware of the President's drug interdiction efforts. These foreign contacts are exclusively in support of interdiction initiatives and do not interfere with existing DEA relationships.

Q. 7. Why did NNBIS interfere in Operation BAT in December, 1983, when DEA had launched this initiative with the Bahamian Government in March, 1982?

A. 7. Operation BAT was established as a multi-agency initiative under DEA authority, and is an adjunct to the South Florida Task Force. In December 1983, to support the interdiction efforts in the South Florida area, NNBIS assisted OPBAT by obtaining replacement Air Force helicopters when DEA felt they could no longer safely maintain the Army helicopters which they had. These efforts were coordinated through the DEA and the Department of State.

Q. 8. How does NNBIS get the intelligence it disseminates to the field? Does NNBIS conduct its own intelligence collection or does it merely collate intelligence from DEA, Customs, Coast Guard, Defense, the intelligence community, EPIC and other sources of primary intelligence information?

A. 8. NNBIS regions obtain intelligence from various agencies, collate the information, assesses its urgency and value for interdiction purposes and disseminate it to appropriate agencies, always ensuring that information which they have is passed to EPIC if it came from a non-EPIC source.

Q. 9. What is your reaction to the NNBIS coordinators in the Gulf and Northeast Regions attempting to establish direct liaison with state and local narcotics enforcement officials and bypassing longstanding relationships established by DEA?

A. 9. NNBIS does not attempt to change existing relationships, but focuses on maintaining liaison with state and local officials to guarantee available interdiction assets either when federal assets are not available, or when state or local enforcement officials are the most appropriate choice for interdiction.

Q. 10. How much is NNBIS costing the agencies who are participating in it? What agency accounts are these sums coming from? How are these fiscal diversions affecting the operations of the agencies involved? How are these expenditures justified when the Administration originally claimed that NNBIS would be a "cost-free" operation? Is it really necessary to have six regional NNBIS centers with the staff and other support costs required to maintain these centers?

A. 10. NNBIS was established as an operation which would not cost taxpayers additional funds. Obviously, the establishment of the centers costs host agencies in terms of reprogrammed money, but the payoff is seen in improved interdiction efforts. The exact costs could be better supplied by the participating agencies. The regional centers were established because of differences in geography and trafficking patterns. The six regions of NNBIS represent natural divisions, considering these factors.

Q. 11. Mr. Mullen charges in his memo that although NNBIS has been established for over seven months, no formal guidelines have been set regarding functions and responsibiliities of NNBIS as they relate to the established functions of DEA, Customs and Coast Guard in narcotics enforcement. Are guidelines being prepared?

A. 11. The mission of NNBIS, its responsibilities and specific functions were publicly announced by the Vice President on June 17, 1983. They have not changed. Because NNBIS is composed of all the drug law enforcement agencies it has a unique capability to coordinate and recommend multi-agency efforts from a centralized point. NNBIS recommends action based on its knowledge of available resources, but the individual agency can accept or reject specific case recommendations if other missions must take priority.

Q. 12. Mr. Mullen asserts that the location of NNBIS in the Office of the Vice President "fragments coordination of drug law enforcement presumed to belong to the Attorney General." Do you agree?

A. 12. The Office of the Vice President is one of few places where the kind of coordination done by NNBIS can be effected. The Vice President's office can cut across departmental lines without creating a stalemate between equals. The Department of Justice has indicated on many occasions that interdiction is not its primary goal, although it provides support to interdiction efforts.

Q. 13. In your assessment, if NNBIS had not existed, would the agencies directly responsible for drug enforcement still have made the drug interceptions that are now claimed to be the work of NNBIS?

A. 13. NNBIS does not interdict smugglers. The agencies do. The efforts of NNBIS have increased the assets participating in and improved the coordination of, interdiction actions.This has helped law enforcement organizations that have always been dedicated to halting smugglers achieve better results. I am convinced that our national interdiction results have been significantly improved as a result of NNBIS' efforts.

OPENING STATEMENT

CHAIRMAN CHARLES B. RANGEL

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

HEARING ON

FEDERAL DRUG LAW ENFORCEMENT AND INTERDICTION

Tuesday, May 22, 1984

Good morning ladies and gentlemen:

Today the Select Committee on Narcotics Abuse and Control holds a very important hearing to review the operation and effectiveness of our nation's narcotics enforcement and interdiction efforts. We come to this hearing, however, with a number of strong concerns.

First, we intend to get a full explanation of the National Narcotics Border Interdiction System (NNBIS). In hearings around the nation during the past year, we have been told that NNBIS has problems, but the Administration has denied it. Now, recently published statements by DEA Administrator Francis M. Mullen, Jr., call into serious question not only the legitimacy and effectiveness of NNBIS, but the Administration's credibility as well.

On September 22, 1983, the Attorney General of the United States William French Smith stated, "NNBIS will help curb the flow of illegal drugs across the nation's borders." Yet, at the end of January 1984, Mr. Mullen in a memo to the Attorney General stated that, "NNBIS has made no material contribution to the Administration's interdiction efforts." Mullen called NNBIS a "liability" and predicted that its "alleged grandiose accomplishments" will become this Administration's "Achilles heel for drug enforcement." Mullen in this memo called for the phasing down of the NNBIS program.

Second, the Committee has recently completed two conferences with Federal, State and local law enforcement officials in New York City and south Florida. The conclusions reached at both sessions were the same.

Cooperation and communication between the various Federal Organized Crime Drug Enforcement (OCDE) Task Forces, the NNBIS program, and State and local law enforcement agencies is virtually non-existent. State and local officials stated to the Committee that the new Federal initiatives put in place by the Administration have only confused the national drug enforcement effort and disrupted their traditional working relationships with DEA, Customs and the Coast Guard.

Over the last few months we have heard great claims from the Administration about how successful their drug enforcement programs have been. Associate Attorney General Jensen recently wrote in USA TODAY that the "...Administration's all-out fight against drug trafficking is producing excellent results." Meanwhile as the Committee travels around the nation to New York, Florida, Texas, California and Hawaii all we hear from local officials is that the availability of illegal drugs is at an all time high, and drug addiction and abuse are increasing. The Administration simply does not appear to be cognizant of the severity of drug trafficking and abuse in America.

It is disconcerting, to say the least, that every time this Committee receives testimony from the principals of our Federal drug law enforcement agencies, as we will today, we always start with the same basic question -- what is the Federal drug strategy? For over a period of three years this Administration has used strong rhetoric when discussing drug trafficking and drug abuse. It embarked upon a path of organizational changes in our nation's drug enforcement effort such as making DEA accountable to the FBI and creating NNBIS and the OCDE task force program. Yet, from the Congressional vantage point we see a worsening of drug abuse in America and confusion in the nation's law enforcement community caused by the various reorganization schemes.

Now, one of the Administration's top drug enforcement officials is calling the Administration's key interdiction initiative ineffective. If our current efforts to stem the tide of drug trafficking and abuse are inadequate, we want to find out what changes need to be made. We call upon the Administration to be forthright in discussing what the problems are so we can remedy this situation.

It is my desire to use this hearing to move through some of the confusion that presently surrounds our nation's drug enforcement effort. There are some very positive aspects of the Federal drug enforcement effort. The Select Committee has heard from local police officials around the country that their conventional avenues of cooperation with Federal drug enforcement agencies, particularly DEA, Customs and the Coast Guard, work best for effective enforcement. We wish to probe this further.

Other issues we will examine this morning include the OCDE program; the FBI's role in drug enforcement; and the adequacy of resources devoted to drug enforcement and interdiction efforts.

OPENING STATEMENT
OF
THE HONORABLE CLAUDE PEPPER
MEMBER OF CONGRESS
FROM THE STATE OF FLORIDA

Mr. Chairman, thank you for allowing me to appear before your committee to testify about United States drug enforcement and interdiction efforts. As your are keenly aware the United States has failed to commit the resources needed to significantly curtail the flow of illegal drugs into this country.

In the war on drugs we are seeing a "Tet offensive" in South Florida right now. I have come across some recent statistics which document the horrifying impact that the growing availability of cocaine is having on our community:

*The number of deaths attributable to overdoses of cocaine quadrupled during the second half of 1983 as compared to the first half of the year.

*Cocaine use accounts for 90 percent of all admissions to Dade County drug treatment programs, up from 30 percent last year.

*Street drugs samples submitted for laboratory analysis are showing that the quality of the cocaine now has improved. The cocaine is cut less frequently and adulterants appear less often.

*The wholesale price of cocaine has declined from $30,000 to $15,000 in the last year.

It has recently been estimated that 18,000 flights per year smuggle narcotics into the United States. Last year only 203 seizures were made. That means only 1% of the drugs which are smuggled in by air are interdicted. Combine this with the fact that almost 1/2 of the drugs smuggled from Latin America are smuggled in aboard small, private planes, and it becomes quite obvious that our nation's air interdiction program is totally inadequate.

The rest of the drugs entering our nation from Latin America come by sea. The marine interdiction rate by the Coast Guard in international waters is less than 30% and Custom's marine interdiction efforts within our territorial waters is practically non-existent. In fact, I have been told by Customs officers in Miami that smugglers can bring their vessels into South Florida without fear that they will be searched or even seen by a Customs inspector. Boat captains are supposed to telephone upon their arrival and report cargo to Customs officers in Miami. The Customs Service gets very few calls from drug smugglers who wish to report million dollar shipments of illegal narcotics. This is what the Reagan Administration calls law enforcement. I call it a dangerous delusion. In sum, of all the illegal drugs that are smuggled into the United States only 16% of the marijuana and only 10% of the heroin, cocaine and other dangerous drugs are seized. This is a national tragedy and there is absolutely no excuse for it. The War on Drugs can be won, but this administration refuses to provide the resources needed to adequately expand and staff existing drug interdiction efforts or to implement programs which have been successfully tested.

The United States does posses the expertise and the technology to win the War of Drugs, now. Two vital types of programs needed are effective air interdiction and marine interdiction systems.

In regard to air interdiction there are three components needed for a successful program; detection of smugglers aircraft, the capability to track these aircraft; and the ability to have law enforcement officials at the landing site, in order to, apprehend the drug traffickers.

The Administration clearly is not committed to an effective air interdiction program. They wanted to cut $18 million from the Custom's Services Air Interdiction Program, fortunately, the Treasury Department after a great deal of congressional uproar from this committee, myself and others has restored $15 million to this line item. Also, the Senate FY85 appropriations bill will provide a budget of $45 million. In a supplemental FY 84 appropriations bill presently awaiting final action $25 million is included to buy 8 drug-interceptor planes. Thanks to the legislative branch, Customs will now beable to double its existing fleet of interceptors. We now must convince the Defense Department to loan additional Black Hawk helicopters inorder that law enforcement officials can arrive at the landing site simultaneously with the drug smugglers. I now believe that the air interdiction program will begin to have a major impact in curtailing the inflow of illegal drugs.

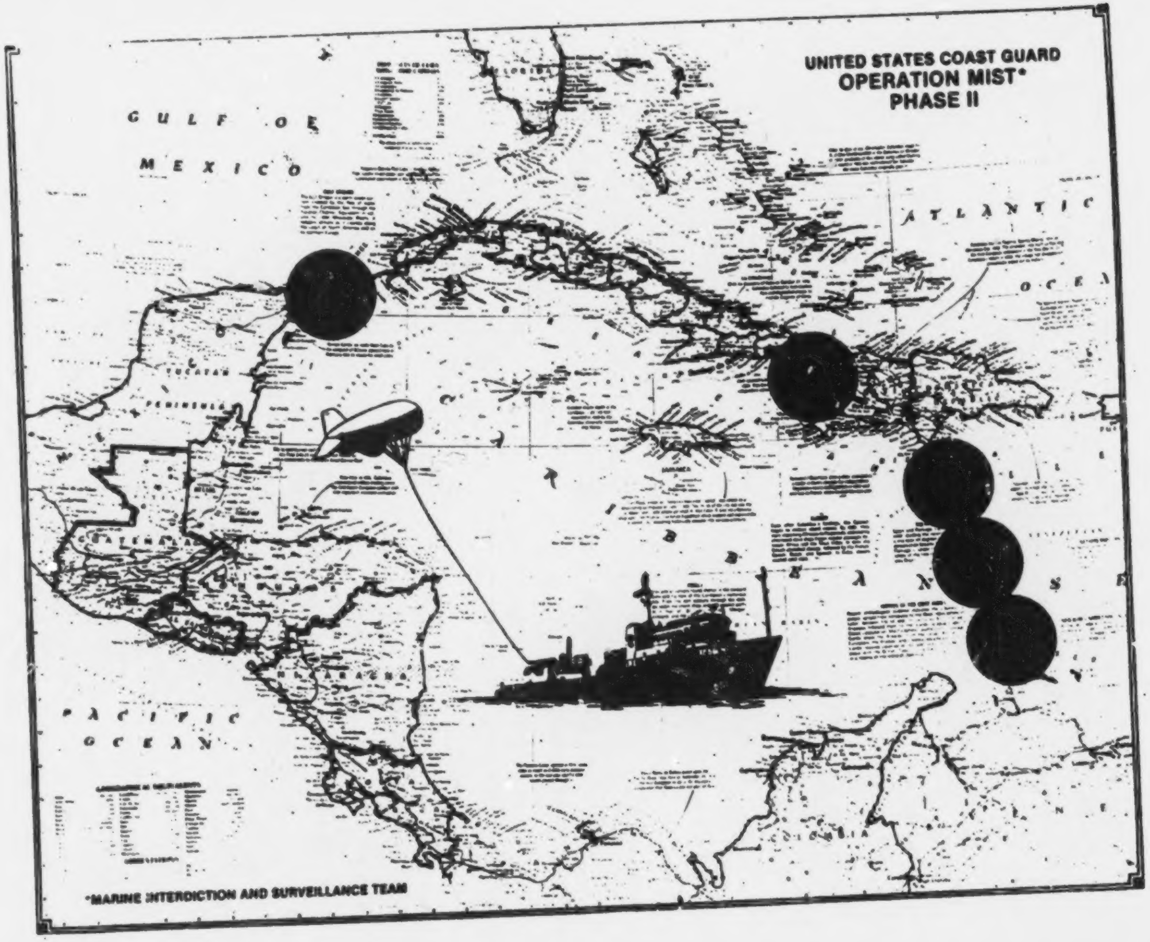
Turning now to Marine interdiction, the Coast Guard is charged with the responsibility for stopping all marine trafficking of illicit drugs. The method presently utilized is totally ineffective given the magnitude of the problem. In the Caribbean Sea they now use radar surveillence from nine patrol cutters complemented by periodic aircraft overflights by four C-130's. These nine cutters and four planes must detect drug smugglers coming from Latin America to the United States. The are supposed to detect and interdict drugs in a vast geographic area, which includes the Yucatan Channel, the Windward Passage and the Mona Passage.

I am very enthusiastic about the MIST (Marine Interdiction and Surveillance Team) program in which the Coast Guard has just completed a very successful test. Through the suspension of an aerostat radar system from a ship the Coast Guard can dramatically increase its surveillance capability. The coverage is 10 times that of the present method used. Now the Coast Guard has the knowledge and the technology to significantly reduce the inflow of illegal drugs by keeping the ocean routes under total surveillance. The days of hit and miss finally can be put behind us. The Coast Guard now can dispatch boats directly to intercept a suspicious target. The utility of the nine cutters will increase greatly. The only obstacle to its implementation is this administration. I am fearful that due to budgetary considerations the Administration may choose not to implement this program. It is my opinion, that this program in the long term will be more cost effective than the present system and will have a dramatic effect on reducing the inflow of drugs. I urge this committee to look into Operation MIST and support congressional funding. Eight MIST teams are needed. Two to provide surveillance along the Atlantic Coast, two to provide surveillance along the Pacific Coast and four to provide surveillance in the Caribbean Sea, especially at the choke points - the Yucatan Channel, the Windward Passage and Mona Passage.

It is estimated that each unit will cost approximately $5 million in the first year of operation and $2 to $3 million a year afterwards. Three units need to be implemented as soon as possible to keep surveillance of the choke points. The others can be implemented over time.

The Custom's service has also successfully tested their own marine interdiction system. They requested $8.62 million for fiscal 1985 but OMB refused to fund this program. The funds would have been used to set up ten marine patrols two based in Miami and one each in Ft. Lauderdale and Key West, in addition to, other cities on the east and west coasts. It is my hope that this committee will use its influence to see that this program is implemented. Customs believes that these modules will significantly reduce the level of smuggling by vessels.

I am sure that if the above interdiction systems are given a high priority, the number of Customs inspectors are not drastically reduced, and if the National Narcotics Interdiction Border System can resolve its communication problems between the various agencies, then the War on Drugs can be won. Let us join together and give our support to achieve these objectives. Thank you.

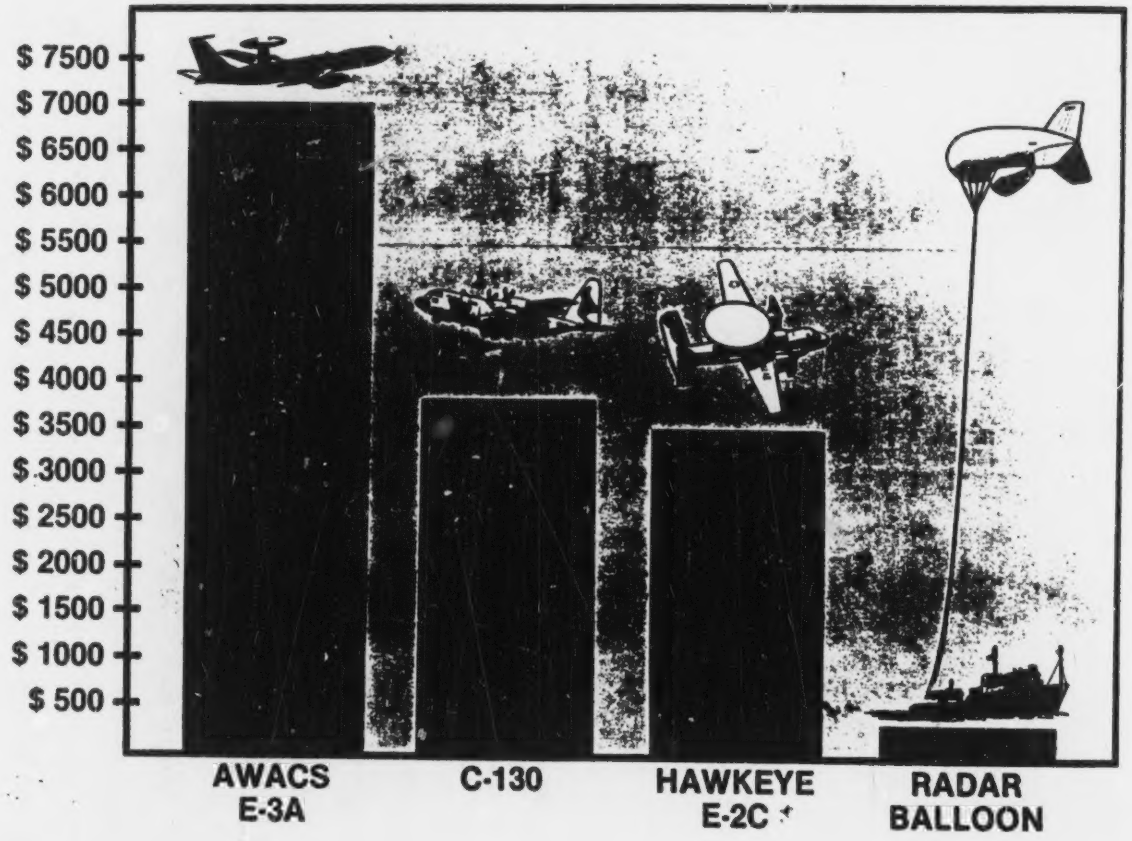


UNITED STATES COAST GUARD
OPERATION MIST*
PHASE II

GULF OF MEXICO
ATLANTIC OCEAN
CARIBBEAN SEA
PACIFIC OCEAN
YUCATAN PENINSULA
NICARAGUA
COLOMBIA

*MARINE INTERDICTION AND SURVEILLANCE TEAM

OPERATING COST PER HOUR



STATEMENT
OF
CAPTAIN NICK SCHOWENGERDT
DIRECTOR
VICE PRESIDENT'S NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM

Good morning Mr. Chairman, Members of the Committee, I am Captain Nick Schowengerdt, Director of the Vice President's National Narcotics Border Interdiction System Staff here in Washington, D.C. I am pleased to be given this opportunity to brief the Committee on the National Narcotics Border Interdiction system, or to use the acronym, NNBIS.

It should be noted at the outset that NNBIS is only one of several ongoing initiatives by the President in his broad program to fight the nation's war against illicit drugs. The 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking delineates five major areas of concentration, three of which are aimed at reducing the national demand for drugs. These are Education and Prevention, Detoxification and Treatment, and Research.

The next element of the Federal Strategy is the set of International initiatives to reduce the supply of illicit drugs at the source. The International initiatives are coordinated by the Department of State which receives support from the Drug Enforcement Administration and the White House Drug Abuse Policy Office. The primary focus in the international arena is illicit crop eradication augmented by crop substitution programs, and support to source and transit countries in improving their law enforcement programs.

The fifth element of the Federal Strategy is law enforcement, of which the interdiction effort coordinated by NNBIS is a part.

On April 10, 1981 Attorney General Smith appointed a Task Force on Violent Crime which developed 65 recommendations on ways in which the federal government can improve its efforts to combat violent crime. These recommendations formed the basis of the Comprehensive Crime Control Act of 1983 which President Reagan forwarded to Congress on March 16, 1983. This proposal includes reform of the bail laws, comprehensive reforms in federal forfeiture laws, and sentencing reform, each of which provide a measure of deterrence to drug smuggling activity. On January 21, 1983, the Attorney General assigned to the Federal Bureau of Investigation concurrent jurisdiction with the Drug Enforcement Administration to investigate drug law offenses, and assigned to the Director of the Federal Bureau of Investigation general supervision over drug law enforcement efforts and policies. This has brought the specialized investigative talents of the Federal Bureau of Investigation into the fight against drug organizations.

In January 1982 the President established the South Florida Task Force at the request of the citizens of Miami, who had watched criminal elements virtually take over and terrorize the Miami metropolitan area. Vice President Bush was asked to head the Task Force and organize a cohesive attack against drug traffickers and their organizations. The situation was critical and demanded a major federal law enforcement response. In a brief period of time additional federal judges, more prosecuting attorneys and hundreds of additional law enforcement personnel were assigned to South Florida. The Coast Guard was augmented in the region, and assistance was solicited and received from the Defense Department including the Army, Navy, Air Force and Marines. Diplomatic initiatives were intensified with some of our Latin American friends to enhance the cooperative law enforcement effort.

While success is frequently difficult to measure, there is no disagreement that the South Florida Task Force has had a major impact on criminal activity in the area. The best measure of this is the new mood of optimism which is evident in Miami, as opposed to the pervasive fear and despondency prior to the Task Force arrival. But, we have by no means been 100 percent effective. South Florida remains the principal point of entry from source countries for marijuana and cocaine, and therefore, our law enforcement efforts there will continue.

Due to the intense pressure in South Florida, criminal organizations have begun to change their smuggling patterns. In response to this President Reagan directed two new initiatives. The Organized Crime Drug Enforcement Task Forces were announced on October 14, 1982 as part of a major program headed by the Attorney General to combat the organizations which finance and control drug trafficking and distribution networks. These Organized Crime Drug Enforcement Task Forces are now operational in 12 key areas throughout the country and achieving excellent results, especially in view of the short period of time they have been functioning.

The second new initiative to counter the diversion from South Florida is the National Narcotics Border Interdiction

System, which was created by President Reagan on March 23, 1983. NNBIS was tasked with combatting drug smugglers at and approaching the borders of the United States. NNBIS commenced its coordination efforts in June 1983, with regional centers established in New York, Chicago, Long Beach, El Paso and New Orleans. In addition, the South Florida Task Force center in Miami also became an NNBIS regional center. The Task Force remains, focusing on the specific needs of South Florida both for interdiction and investigation of major smuggling groups. But superimposed on it is the NNBIS Southeast Region, which covers a much larger geographical area for just border interdiction.

The mission of our NNBIS centers is to coordinate efforts to interdict the flow of narcotics into the U.S. using all appropriate federal resources, and those state and local resources available and desirous of participating. Each region must, therefore, collate intelligence information, assess the threat to the region, prioritize smuggling targets, identify resources available to interdict targets, and recommend actions to participating agencies. Each regional center has two functional entities: the Interdiction Operations Information Center (IOIC), and the Interdiction Information Coordination Center (IICC).

The purpose of the IOIC is to coordinate and match intelligence with existing interdiction resources, and then to recommend action to the command and control element of those existing resources, in order to effect interdiction efforts. The IOIC uses all available intelligence, both tactical aand strategic, to accomplish its purpose. The IOIC is cooperatively staffed by representatives of all the federal enforcement agencies, as well as all branches of the military. Similarly, the interdiction, surveillance and pursuit resources provided are from all federal enforcement agencies and the military, as well.

The purpose of the IICC is to provide the NNBIS organization with a complete and accurate assessment of the narcotics smuggling picture as it exists, as it changes, and as it projects for the future. The first priority of this group is to develop tactical intelligence including trends which will be used by NNBIS to attack the smuggling problem. The IICC uses all intelligence sources, both domestic and international, examines and develops the gathered data and intelligence, and develops a "picture" of narcotics smuggling activity. Any such information or analysis that was not received from EPIC is passed to EPIC for additional dissemination and analysis.

It should be noted that NNBIS per se does not make seizures. Seizures are effected by the participating agencies, collectively or individually. NNBIS' function is to increase the agencies' effectiveness through cooperative/coordinated efforts. Therefore, to say "NNBIS seized" is incorrect, but to say "agencies under the aegis of NNBIS" is proper. In effect, NNBIS is the agencies: DEA, FBI Customs, Coast Guard, Border Patrol (INS) and DoD elements. We maintain statistical data on interdiction cases focusing on conveyances and methods of smuggling. Our statistical base does not include all drug seizures, only those associated with border interdiction. Inputs to this data base include NNBIS regional reports, Customs Special Enforcement Reports, Coast Guard and EPIC reports. All of which are carefully scrutinized and cross-checked to preclude double counting. The Drug Enforcement Administraton has recently been tasked with establishing a National Data Base of drug seizures. We have shared our methodologies for data base management and will work closely with them as they tackle this monumental task.

Each region is tasked with coordinating joint agency special operations within its geographical area of responsibility. Once a target is seized and turned over to the appropriate agency, the region conducts follow-up interdiction analysis on seizures to determine regional trends.

The air interdiction portion of drug interdiction is a most difficult area. Factors such as short target transit time, gaps in radar coverage, short supply of detection and intercept assets, and ability of a smuggler to land in a foreign country outside the reaches of our enforcement authority work against the law enforcement community. We are attempting to resolve many of these issues. We have worked with the intelligence and defense communities toward early detection of suspicious aircraft. This includes using Air Force AWACS and Navy E-2 aircraft to detect potential air smugglers and to identify the necessary communications links to alert, launch and vector intercept aircraft onto the target. All of the military services have been very responsive to enforcement needs.

We have assisted Customs in their efforts to acquire a tethered aerostat radar system to be placed on Grand Bahama

Island. Customs has contracted with T-COM for this relocatable surveillance system. The new aerostat when combined with similar systems at Cudjoe Key and Cape Canaveral will provide excellent low level radar coverage along the east coast of Florida as well as a considerable amount of Bahamian territory.

The FAA has completed a multi-agency classified study, initiated at our request, to identify all surveillance systems in the United States today. It also identifies the gaps in radar coverage for aircraft crossing our borders at low flight altitudes. The Vice President recently directed the formation of the Joint Surveillance Committee, which is made up of representatives from DoD, Justice, Treasury, Transportation, State and the Intelligence Community, to follow up on the FAA study. The committee was divided by expertise into subgroups to review, analyze and make recommendations on the drug threat, current detection capabilities, reaction capabilities and possible deterrence measures which could be enacted by new legislation or regulation. The findings of these groups will be combined into a single report which after approval by the full committee will be presented to the NNBIS Executive Board for action.

We are providing assistance to the Customs Service in their interface with the Department of Defense with respect to the acquisition of additional loan aircraft. This includes the P-3 and C-12 acquisition programs, and the loan of related sensor systems. We support these initiatives to the extent they do not adversely impact military preparedness. In conjunction with our border interdiction oversight responsibility we are also following with interest developments in the Customs-leased aircraft program.

Through the State Department and in consultation with the DEA, we are working with the Mexicans, Bahamians, and Canadians to overcome the problems of smuggling aircraft landing outside U.S. territory when they realize they have been detected by U.S. law enforcement. Concurrently, we are attempting to improve our joint interdiction efforts along the Mexican and Canadian Border.

Meetings have been conducted with officials of these governments to ascertain what resource requirements and/or operational activities might be best suited to a successful interdiction program. These meetings have been coordinated with appropriate agencies at the Washington level.

Also, with respect to the Bahamas, OPBAT experienced a severe problem when DEA had to discontinue use of Army helicopters due to inadequate availability of contractor maintenance. We worked with DOD and DEA in finding acceptable replacement aircraft for OPBAT. Now the Air Force is doing an outstanding job flying their "Huey" helicopters in support of OPBAT. We are working to intensify our efforts in the Bahamas. The Vice President made a comprehensive proposal to the Bahamian Government, offering greater U.S. assistance to interdict drugs transiting through that country. We anticipate their response shortly and are prepared to begin implementing the proposal at that time.

In the smuggling war at sea, the Coast Guard, Customs, and state and local marine units have been performing at a steady high level over the past few years. NNBIS efforts in this area have concentrated on drawing new or untapped resources into the effort, and improving the coordination of tactical intelligence leading to seizures.

We are focusing on drawing into the effort agencies which operate on or over the waters to provide additional intelligence information. We have been successful in obtaining additional DOD support as well as the support of other agencies which are rarely considered when looking at drug interdiction. We have been following the Coast Guard's testing of a sea-going aerostat radar system with great interest. An operational test has just been completed and the results are being evaluated.

With additional data from supporting agencies, and planned advancements by the Coast Guard, we look forward to making maximum use of available forces to interdict vessels on the high seas by the Coast Guard, or within Customs waters by Coast Guard, Customs marine vessels, and state and local marine units.

Perhaps the most difficult drug enforcement area to attack is smuggling via commercial carrier including cargo shipments. The vast quantity of air, sea, and vehicular traffic entering this country daily is staggering. The task falls primarily to the Customs Service with assistance by the Border Patrol along our land borders.

NNBIS' primary contribution in support of this element is to assist in developing intelligence information and ensure its dissemination. To this end we deal with the intelligence community to ensure they are aware of our needs, and have drawn into our efforts the interest and assistance of highly skilled members of the community. Some of the desired information is classified in a national security context. In an effort to secure and protect the data, we have asked DOD to provide secure communications equipment. We are hopeful that Defense will be able to loan the equipment, which means more intelligence data can be brought to bear at the enforcement level. My staff participates in the planning, review and support of special Customs enforcement operations. We make every effort to identify and acquire necessary additional resources and cooperation from other agencies in support of Customs interdiction initiatives.

NNBIS supports and encourages the seizure of aircraft and vessels to include common carriers whenever justified. These seizures serve to immobilize the violator and provide a strong deterrent to both individuals and the commercial community. We strongly support the new initiatives undertaken by the Customs Service and the coommercial community, and I think you'll hear more on that from Mr. DeAngelus.

Mr. Chairman, throughout my statement I have made frequent reference to the Department of Defense and military services. The 1982 Defense Authorization Act passed by the Congress included a much needed clarification to the Posse Comitatus statute. NNBIS has the key role in implementing the will of the Congress for more DOD involvement in the drug war. We have accomplished this through a series of initiatives, many of which have been mentioned. A couple of initiatives deserve additional mention.

Each month since June, 1983, DoD assets have been made available for special operations throughout our border areas. These special operations use beneficial and available DOD resources for intensified efforts in geographical areas of concern to enforcement agencies. We also tag onto available existing DOD operations whenever intelligence indicates some benefit may be derived. While these operations are not always successful in identifying smugglers for intercept, ancillary benefits do occur. We are able to determine relative threats in specific areas while simultaneously educating both DOD and enforcement agencies on working together, identifing potential smugglers, and communicating with each other. These pre-planned commitments have led to standard commitments in some cases, and to the development of quick response arrangements in others.

We are seeing payoffs, with more and more cases being initiated by DOD alerts and reports. Each month we have used a little different mix of military assets, and are developing increased awareness of our mission needs within the military community. The support for our efforts has been outstanding from the Army, Navy, Air Force and Marines. We have worked with active and reserve components of those services and are now focusing more attention on obtaining additional support from the National Guard Bureau. We are currently working with the Guard Bureau to develop guidelines for field units and are optimistic that a further refinement of policy will enable greater participation by units.

By combining coordination and more intelligence information, we are able to work smarter, and by receiving the excellent support from the DOD we are able to also work harder. Mr. Chairman, I feel that NNBIS has made significant contributions to the national effort against drug trafficking. We still have a long way to go. Sixty percent of all crime is drug related. Border interdiction alone will not halt the drug problem, but when our improving accomplishments are measured along with the increasing successes of the DEA and the Organized Crime Drug Enforcement Task Forces, and then melded with the many initiatives in drug abuse prevention, I am optimistic that we can overcome the scourge drugs have brought upon our society. You, Mr. Chairman, have demonstrated your concern and interest in supporting this fight. I believe a concerted effort to pass the Comprehensive Crime Control Act would serve notice that the Congress and the Administration are united in the belief that drugs and crime are not political issues that require a division along party lines, but a major concern of all Americans regardless of affiliation. It will also serve notice to the criminals who perpetuate this activity that "We the People" won't tolerate their activity any more.

That concludes my formal briefing, Mr. Chairman. I will be happy to respond to questions.

STATEMENT

OF

JOHN C. LAWN
ACTING DEPUTY ADMINISTRATOR
DRUG ENFORCEMENT ADMINISTRATION

ON

FEDERAL NARCOTICS ENFORCEMENT AND INTERDICTION EFFORTS
BEFORE

THE SELECT COMMITTEE
ON
NARCOTICS ABUSE AND CONTROL

UNITED STATES HOUSE OF REPRESENTATIVES

CHARLES B. RANGEL, CHAIRMAN

MAY 22, 1984

I am pleased to appear before this Committee to discuss the role of the Drug Enforcement Administration (DEA) in Federal domestic drug law enforcement and interdiction.

In 1973, DEA was designated the Federal agency responsible for investigating U.S. drug law violations. DEA also investigates drug trafficking overseas. Additionally, DEA regulates and monitors the manufacture and distribution of legal drugs. It also has a key role in the collection and analysis of narcotics intelligence, domestically and overseas.

As the lead agency for drug enforcement, DEA plays a crucial role in this Administration's campaign against organized crime and drug trafficking. During the past fiscal year, we have taken tremendous strides in effecting a unified, sustained assault against the illicit drug traffic, both domestically and abroad. We have maintained close working relationships with other Federal agencies, including the Federal Bureau of Investigation, the U.S. Customs Service, the Coast Guard, the Navy, the Air Force, the Bureau of Alcohol, Tobacco, and Firearms, and the Internal Revenue Service, with numerous state and local agencies, and also with foreign enforcement entities.

In 1982 the increased involvement of other Federal agencies, including concurrent jurisdiction of the FBI for drug law violation investigations, has provided enhanced flexibility in attacking the drug trade. By the end of April 1984, the number of cooperative DEA/FBI investigations had increased from 12 in July of 1981 to 766. Valuable expertise in the areas of wiretaps, financial investigations, organized crime, and public corruption has been shared by both agencies. DEA and FBI agents have been cross trained to enhance their effectiveness in the field. All FBI agents have received training in narcotics investigations. Of these agents, over 700 have received specialized narcotics training. DEA agents have also received training regarding the FBI mission and services. Additionally, both agencies' information/intelligence data bases have been expanded, and forensic laboratory support has increased.

Much has been accomplished as a result of this intensified effort, and as a consequence of the cooperation provided by state, local and other Federal agencies. Much still remains to be done.

In FY 1983, DEA averaged over 1,000 arrests and 800 convictions per month. This figure includes DEA-assisted state and local arrests and convictions. Domestic drug seizures from FY 82 to FY 83 were as follows: Heroin seizures increased from 230.8 kilos to 306.4 kilos. Seizures of cocaine increased from 4,946.5 kilos to 7,569.3 kilos. Marijuana seizures decreased slightly from 1,076,338.9 kilos to 1,044,648 kilos. Increased efforts were directed into the eradication of domestic marijuana. Almost 3.8

million marijuana plants were destroyed in CY 1983 by local law enforcement agencies. A nearly 50 per cent increase over the previous year. Also during the past year, 241 clandestine laboratory seizures were reported to DEA, of which 187 were the result of DEA investigations and 54 were the result of state and local efforts. Included in the seizures were 95 methamphetamine and 34 PCP laboratories.

In 1983, the Domestic Marijuana Eradication/Suppression Program was expanded from 25 to 40 states, and this year will include 47 states. Under this program, DEA actively supports state and local jurisdictions engaged in marijuana eradication and suppression efforts by contributing funding, training, and investigative and aerial support. One measure of the success of this initiative is, that to avoid aerial detection, there has been a marked increase in the number of greenhouses used for cultivation.

An important aspect of this program in 1983 was the use of the herbicide paraquat on marijuana fields. Paraquat was used to eradicate marijuana in the Chattahoochee National Forest in Georgia, and in the Daniel Boone National Forest in Kentucky. Court challenges by environmental groups resulted in a temporary restraining order against the use of paraquat on Federal lands until an Environmental Impact Statement (EIS) has been completed. The preparation of the EIS is proceeding and the draft will soon be available for comment. Four public 'scoping' meetings took place in January in Atlanta, Denver, Spokane, and Washington, D.C.. They provided a forum for public input on the scope of the issues and alternatives to be examined in an EIS. We are determined to continue aggressive eradication efforts even if it has to be done manually.

Since March 1982, DEA has participated in the South Florida Task Force along with the U.S. Customs, the Bureau of Alcohol, Tobacco and Firearms, the Immigration and Naturalization Service, and the U.S. Coast Guard. DEA and Customs participate in this program under a Florida Joint Task Group which conducts both pre- and post-drug smuggling investigations, as well as financial investigations in the State of Florida. For the period March 1982 to September 1983, these efforts resulted in 1,677 arrests, 1,043 drug seizures, and a total of $22,579,340 in asset seizures.

Two other cooperative ventures against marijuana and cocaine trafficking in the Caribbean in which we are participating are Operation BAT in the Bahamas, Turk/Caicos Islands, and the Antilles, and Operation TRAMPA II in the Caribbean and the Gulf of Mexico.

DEA is also actively participating in President Reagan's eight point program to combat organized crime and drug trafficking. Along with the FBI, the IRS, the BATF, INS, the U.S. Marshals

Service, Customs, and the Coast Guard. DEA personnel are actively involved in the 12 Organized Crime Drug Enforcement Task Forces (OCDETF). These task forces are focused on those levels of organized crime drug trafficking enterprises that direct, supervise, and finance the illicit drug trade. By the end of March 1984, 274 DEA agents had actively participated in 409 OCDETF cases, 1,301 arrests had been made, 319 individuals had been convicted, and approximately $59 million dollars in trafficker assets had been seized. Because these task forces are focused on those levels of trafficking organizations that actually direct and finance operations, their successes have paralyzing, and sometimes fatal, effects on these components of organized crime.

DEA is also a key member of the Vice President's National Narcotics Border Interdiction System (NNBIS). NNBIS is the national expression of the interdiction part of the South Florida Task Force and the border interdiction complement to the investigative OCDETF's around the country. DEA has personnel actively working in all six NNBIS Regional Centers. Under the Vice President's leadership, NNBIS is charged with coordinating all Federal agencies, including the Department of Defense, and including state and local agencies where they have joined the effort, in the interdiction of contraband narcotics at, or prior to, crossing our border. DEA's major contribution to NNBIS is in the provision and analysis of tactical enforcement intelligence.

Another cooperative effort with state and local law enforcement personnel is our State and Local Task Force program. This program, in contrast to the OCDETF effort, is aimed at the mid-level violator. Currently there are over 20 formal operational DEA/State and Local Task Forces in metropolitan areas, including Guam. These task forces have an overall conviction rate of 98% and have consistently resulted in over 2,000 arrests per year. About 30% of these arrests are in Class I and II case categories.

In order to strengthen state and local efforts against drug trafficking organizations, DEA also provides training to state and local law enforcement officers. Approximately 7,500 officers per year are trained through the academy at Glynco, Georgia and in the field by DEA Division Training Officers.

Although our domestic enforcement efforts against drug trafficking have resulted in demonstrable progress, it is important to also address the world-wide nature of this problem. Controlling drugs within the source country, or as close to the source as possible, is one of the most effective approaches to reducing the vast majority of illegal drugs in this country.

Drug control is an international issue. Source and transit countries that previously did not have abuse problems have recently begun to develop severe internal drug addiction problems. Terrorism, crime, violence, and economic disruption are affecting the drug source countries, as they have affected some of the countries where drugs are abused.

DEA has long enlisted the cooperation of source and transit countries to eliminate illicit drug production, trafficking, and the diversion of licit drugs into illicit channels. We support numerous host country efforts to investigate drug trafficking organizations and to interdict drugs at the source. We have had some notable successes, especially in our diversion control and our foreign cooperation investigations programs.

The Foreign Cooperative Investigations program motivates and assists foreign countries in the development of drug law enforcement and ancillary programs. In FY 1983, as a result of these efforts, there were 1,250 cooperative arrests of international drug traffickers, seizures of 2,368 kilos of heroin and 7,819 kilos of cocaine, implementation of 30 Special Field Intelligence programs, and training of 1,240 foreign government officials in drug enforcement methods. An important aspect of this program is the development of substantive enforcement and intelligence exchanges.

DEA's special programs to control diversion of licit controlled substances into the illicit market operate effectively and have a positive impact on the overall diversion problem. DEA, in close cooperation with the State Department, has been instrumental in persuading foreign governments to control the production and distribution of dangerous pharmaceuticals. By the end of FY 1983, all known major European source countries, as well as the Peoples' Republic of China, had ceased or reduced methaqualone production, and had placed strict controls on its exportation. This, and the reduction of the methaqualone import quota, has resulted in a dramatic decline in the U.S. in injuries attributable to methaqualone abuse. This trend is expected to continue.

DEA's intelligence program provides adequate, timely, and reliable intelligence regarding drug trafficking to the law enforcement community. In FY 1983, we established a Special Intelligence Unit to coordinate intelligence community information. Currently, the El Paso Intelligence Center's (EPIC) facilities are being upgraded to more effectively process and store this information. Forty-eight states now participate in EPIC, and it is now the tactical link between the South Florida Task Force, NNBIS, OCDETF, State and Local Task Forces, DEA, FBI, Customs, the Coast Guard, and other Federal agencies.

There can be no doubt that this Administration is committed to the elimination of drug trafficking and organized crime. As the lead agency in this effort, DEA has a vital mandate to bring drug law violators to justice, to immobilize their organizations, and to seize their financial profits and proceeds. Our challenge is to utilize our resources effectively and in such a way as to make the costs and risks of drug trafficking outweigh the profits.

Congress' continued interest and concern regarding the drug abuse and trafficking situation is of great assistance in this effort. On February 2, 1984, the Senate favorably reported, by an overwhelming margin, the Administration's Comprehensive Crime Control Act of 1983 (S-1762). Currently, the House is considering this legislation and its provisions to reform statutes relating to bail, sentencing, criminal and civil forfeitures, and several very important diversion control amendments. These reforms provide important new tools with which to combat drug trafficking and organized crime. Your support of such legislation can make the battle against drugs and organized crime a successful one.

The overall emphasis of DEA's enforcement program is on the flexibility to respond to changing situations and to bring special expertise to bear on a problem. We explore many innovative enforcement tactics to bring pressure on the drug traffic. Many of these involve the maintenance of enhanced working relationships with other Federal, state and local agencies. We shall continue to stress the importance of coordinated and cohesive interagency efforts.

This concludes my statement, Mr. Chairman. I shall be pleased to answer any questions you or other members of the Committee might have.

FINAL

TESTIMONY
ALFRED R. DE ANGELUS
DEPUTY COMMISSIONER OF CUSTOMS
SELECT COMMITTEE ON NARCOTICS ABUSE
MAY 22, 1984

Mr. Chairman, Members of the Select Committee,

I am pleased to come before you today to discuss the U.S. Customs Service efforts to halt drug trafficking at our Nation's borders.

Mr. Chairman, as you know, the Customs Service was our Nation's first Federal law enforcement agency. Traditionally, the Service has had a very broad mission. From its earliest years, the mission has included the collection of revenues and numerous activities in the law enforcement area. Today, in accordance with the priorities of the Reagan Administration, we view our activities relating to the smuggling of narcotics as having the utmost importance.

When Commissioner von Raab came to Customs, he immediately established law enforcement as our number one priority. In response, we have strengthened our enforcement posture by significantly restructuring the management of our enforcement activities not only in Headquarters, but down to the region and district levels. In addition, we have devoted more resources and more attention to law enforcement matters whenever and wherever possible. I think that by any standards, the Customs Service should be regarded as an aggressive law enforcement agency that is determined to do the very best job possible to combat narcotics smuggling.

In spite of the dedication and successes of Customs, Mr. Chairman, as well as other agencies involved in the war against narcotics, this war is far from being won. The threat to our nation and particularly to its young people, remains. The huge profits available to trafficking groups continue to lure law breakers and provide the funds necessary to finance ever more sophisticated schemes to evade our detection and apprehension efforts.

The response, Mr. Chairman, as you make abundantly clear, is that we must do a better job. The Customs Service is committed to do so.

Our Tactical Interdiction program, consisting primarily of marine and air response elements, has experienced further development over the past year. We have developed a marine module concept. Marine modules are being established at Fort Myers and Fort Lauderdale, Florida. We are using vessels from our existing fleet as well as from the seizure/forfeiture process to equip these modules.

The concept involves a small unit consisting of a supervisor and eight marine enforcement officers. They utilize a large tracker vessel in an offshore capacity as a detection and communication platform. Extensive use of intelligence dictates the deployment of these boats. As possible smuggling vessels are detected, other marine officers in smaller interceptor type boats are vectored to intercept, pursue, and apprehend the violators and seize their contraband and conveyances.

During the test of this mode of operation, intelligence indicated that the suspect vessel "Westwind" would be nearing the Florida coastline off Gasparville. A Customs tracker vessel, using newly installed radar and infrared equipment, located a suspect target and vectored an interceptor to it. The target proved to be "Westwind" and surveillance was maintained until a boarding could be accomplished. A search of the "Westwind" revealed 727 pounds of cocaine.

Mr. Chairman, I can also report that several operational improvements to our Air Program have been completed or are nearing completion at this time. These improvements are in our capability to detect, intercept, and apprehend the private aircraft smuggler.

Our detection capability in South Florida improved when the Patrick Air Force Base Aerostat became operational in October 1983. Since the creation of NNBIS, we have been able to increase the hours of AWACS and E-3A/E2C support from DOD.

Our South Central Region has been chosen as the base for the P-3 radar surveillance aircraft which are scheduled to undergo testing and evaluation by the Navy in June. Our intercept capability will be further improved with the lease of four Citation aircraft carrying F-16 radar. The lease has been approved with delivery scheduled to begin in FY 1985.

Mr. Chairman, perhaps the most essential link in the enforcement chain is the capability to apprehend. With the cooperation of DOD, our apprehension capability has been significantly improved with the loan of four Black Hawk helicopters from the Army. When combined with the Cobra helicopters already on loan, high performance helicopters are stationed at each air branch.

To manage our increased detection interception and apprehension capability, we have instituted centralized control of our air interdiction efforts at the Headquarters level. This is being accomplished through east and west command centers with each reporting directly to Headquarters and having line authority over Air Branches.

In other interdiction initiatives, the Commissioner has asked the airlines for their help in the war on drugs. I believe we can further strengthen our defenses by working together. Only cooperation between all the organizations involved in air travel will make us successful.

One of the problems that concerns Customs officers is the lack of security for aircraft when they are on the international arrivals ramp at airports. We would like to see better control by the airlines and airports of the people who have access to those airplanes. Drugs can be hidden in crew-accessible areas in the planes while they are in a foreign airport. These drugs are then easily taken off by drug smugglers working among the servicing crews when the planes are on the international ramp of the U.S. Airport.

Such easy access by people who are not going to pass through Customs means that no matter how effective our enforcement programs are, we will not be able to stop drug smugglers from operating in international airports.

At a meeting with representatives of 39 air carriers, the Commissioner warned that the situation with Colombian cocaine entering the country aboard commercial airliners had reached an intolerable level. He pointed out that Customs may seize an aircraft that is used to carry contraband into the United States, and that the aircraft is subject to forfeiture.

As an example after 22 seizures of cocaine over a 5-month period from Eastern Airlines flights, Customs seized an Eastern L-1011 jumbo jet in Miami on April 24, 1984, which was found to be carrying cocaine in the avionics section of the aircraft. The aircraft was ultimately returned to Eastern, but, this matter resulted in an agreement between Eastern and Customs for closer cooperation and anti-smuggling drug action on behalf of Eastern, which we hope will serve as a model for agreements with other airlines.

Regarding our enforcement at the borders generally, Customs is expected to process passengers and cargo as expeditiously as possible, yet on the other hand, we are mandated to enforce the law.

We believe that the first challenge is being met with current initiatives such as the establishment of selectivity as the foundation of our processing system. Included are such facilitative measures as one-stop processing and red/green systems with citizen bypass. These measures free more personnel to perform enforcement functions.

Customs is meeting the enforcement challenge in ports of entry by the timely communication of intelligence, the development of threat assessments for individual flights, and the analysis of international smuggling methods and trends. From these initiatives, we have recently developed a training program that provides behavioral analysis and identifies specific observational profiles and interview techniques. The training program has been given to all airport Customs inspectors and is now being adapted to the land border environment. The techniques taught have significantly increased enforcement results.

In 1983, Customs initiated an internal cargo conspiracy program. While primarily an investigative initiative, the Cargo Conspiracy Program incorporates the interdictory and intelligence gathering activities of inspectors and Patrol officers. An example of a successful investigation recently culminated in the indictment of 23 persons. Skycaps in Miami International Airport were facilitating the movement of narcotics through the Customs Enclosure by using couriers and bribery. The resulting indictment named: 10 Skycap International Employees, 2 Eastern

Airlines employees, 7 narcotics couriers with 2 associated violators, and 2 U.S. Customs Inspectors.

Mr. Chairman, no discussion of drug enforcement activity within our ports of entry would be complete without mentioning our Contraband Enforcement Teams. These teams, comprised of seasoned inspectors and canine enforcement officers and backed by Patrol officers, special agents and import specialists, are the nucleus of Customs enforcement activities within more than 50 ports nationwide. Utilizing intelligence profiles and a variety of interdictory techniques, the teams effectively screen and search cargo shipments, baggage, passengers, vehicles, and in some instances, vessels and aircraft entering the United States. In the past 12 months, the number of inspectors assigned to Contraband Enforcement Teams has been doubled.

Mr. Chairman, I ask that the Committee take note that Customs not only seizes narcotics when we discover them and make arrests when possible, but we also pursue any assets that we can link to the narcotics smuggler. In this regard, Operation GREENBACK, a multiagency financial task force has been very successful. Customs supports this task force with special agents and intelligence analysts. Financial information made available by the Bank Secrecy Act is used to target and disrupt criminal organizations through analysis of the movement of their currency. From the inception of GREENBACK in 1980 through April

1984, the operation has resulted in the indictment of 52 criminal organizations including 108 individuals. One hundred and twenty-five persons have been arrested and $38,529,278 in U.S. currency has been seized. Also property consisting of airplanes, vehicles and vessels valued at $6,835,654 has been forfeited. The Government has collected $2,160,000 in bail bond forfeiture and has instituted jeopardy tax assessments amounting to over $117 million.

Another currency related initiative is the Treasury Financial Law Enforcement Center. TFLEC consists of teams of analysts responsible for analyzing the financial activities of individuals and businesses, including banks, throughout the United States. TFLEC is designed to provide support to field investigative activities such as Operation GREENBACK, which I just discussed, and to the Organized Crime Drug Enforcement Task Forces. The objective is to identify suspected currency laundering operations. TFLEC analysts have developed innovative techniques such as a statistical method to assist in targeting banks which are not in compliance with the reporting provisions of the Bank Secrecy Act. Computer programs have also been developed to analyze Federal Reserve Bank data in an effort to track cash surpluses or shortages nationwide. In FY 1983, TFLEC generated 140 analytical reports involving 712 individuals and 248 businesses, and reported the movement of over $1 billion.

Mr. Chairman, as was indicated in testimony before this Committee last year, we have requested from DOD several aircraft and other equipment to improve our air interdiction program.

This past year we have completed an operational test and evaluation of the Black Hawk helicopter and, based on the positive results of the evaluation, we requested and received three additional Black Hawk helicopters from the Army. We have installed long-range fuel tanks, high intensity search lights and additional avionics to adapt the helicopter to our operational needs. With these improvements, the Black Hawk proved to be one of the most effective apprehension tools in our fleet. Today all four helicopters are operational, two in Miami, one in Jacksonville, and one in our New Orleans Air Branch. The loan of these helicopters is an excellent example of the excellent cooperation we receive from DOD.

There was no major acquisition cost associated with the Black Hawk helicopters. The long-range fuel tanks were provided by the Army and the installation was done at our Miami Air Branch with assistance from Sikorsky Aircraft, the manufacturer. The operating cost of the Black Hawk averages out to about $784 per hour, which breaks down to $536 for fuel and parts and $248 for maintenance/labor. These hourly costs are based on a total of 390 hours of Customs operation of the Black Hawk.

Additionally, we have received a P-3A Navy antisubmarine aircraft to be used as an airborne radar platform. Presently this aircraft is being modified by the Lockheed Corporation in Burbank, California, with a fire control radar, the type used in the F-15 fighter aircraft. After the modification is completed, hopefully by the end of June, the Navy will perform a 2-month performance evaluation of the aircraft and the radar system and deliver the P-3 to Customs. We will conduct a comprehensive operational test of the aircraft to evaluate its effectiveness as a surveillance and detection system in the air smuggling environment.

As part of the operational evaluation we will closely monitor all costs associated with the aircraft and radar systems to establish a reliable operational cost for the aircraft. In fact, this cost will be a major factor in our assessment of the cost-effectiveness of the aircraft.

The Defense Department also provides us with continuing surveillance and interdiction assistance in the form of Navy E2, and E3-A (AWACS), and OV-10 tracker aircraft operations conducted by military personnel in our support. In addition to this operational support, DOD is also providing us support in the following areas:

- Loan of four F-15 fire control radars, for which the Air Force will request reimbursement in FY 1986 or the return of the radars.

- Assistance in Customs purchase of a spare F-15 radar and F-15 radar spares support not otherwise available.

- Space and other assistance from the Navy for the renovation of the New Orleans Air Branch facility and for the construction of a P-3A facility.

- Reimbursable assistance from the Air Force in the design and procurement of the Customs ROCC sites.

- Reimbursable assistance from the Navy in the conduct and analysis of the Customs P-3A operational evaluation.

As you know, we requested that DOD provide Customs with funds and support to operate and maintain the military aircraft in our inventory. This request for about $11 million was rejected by Defense. The Adminstration subsequently requested a budget amendment for the funds necessary to operate and maintain these aircraft as well as $4 million for an aerostat balloon in the Bahamas.

The Customs Air Program results are measured in deterrence as well as in seizures and arrests. The long-term goal of our Air Strategy is to deter more smugglers and apprehend those who do attempt to enter the country. Although the deterrent effect of our air interdiction efforts is often evident, it is not precisely measurable. The best deterrent effect we have seen were the results of the implementation of our air module strategy in South Florida, which indicate a reduction of between 70 to 90 percent in air smuggling attempts across the border between Key West and West Palm Beach.

Another measure of our effectiveness is the seizures and arrests we make in a given area and time. In FY 1983, as a direct result of our air interdiction efforts, Customs has made 451 arrests, seized over 6,000 pounds of cocaine, 260 pounds of hashish and over 370,000 pounds of marijuana, with a total street value of approximately $2.2 billion. In addition, we seized 148 vehicles, 111 aircraft, and $1.1 million in cash.

Mr. Chairman, as you know, Customs is involved in several major task force initiatives including OCDE, NNBIS, and the South Florida Joint Task Group. Since February 1983, Customs has been participating in the Organized Crime Drug Enforcement Task Force (OCDE). The task forces use the combined efforts of Federal, state and local law enforcement agencies to enhance the prosecution of major drug trafficking organizations.

The U.S. Customs Service, is participating in OCDE activities in 27 locations. Since the majority of the U.S. Customs Service's efforts will focus on the financial aspects of the organizations, resources have also been allocated to the Treasury Financial Law Enforcement Center (TFLEC) to enhance the investigations with intelligence developed through the Bank Secrecy Act and on-site analytical assistance. Customs is also participating in 10 additional OCDE locations with non-task force resources, to increase the efforts against major organizations.

The results of the combined efforts of the participating agencies has been significant. One investigation, in which Customs began to participate in August 1983, resulted in the interception of over 40 pounds of heroin destined for Buffalo, New York. The investigation continued after the interception and resulted in the seizure of an additional 20 pounds of heroin, the arrest of seven individuals and the seizure of $230,000 in currency.

Other OCDE efforts in which Customs has participated have resulted in the seizure of 2,424 pounds of cocaine, over 128,000 pounds of marijuana, $6 million in currency/monetary instruments, and $16.8 million in property. The combined efforts have produced 359 arrests, 631 indictments, and 108 convictions.

We feel that the success of OCDE initiatives is not only seen in increased seizures, arrests and convictions. Less quantifiable, but just as important, is the enhanced coordination among the various agencies. In many areas, participating members have colocated their offices, which has resulted in vastly improved communications, including both regularly scheduled and informal meetings. Changes have been made which directly improve operational effectiveness through improved radio communications and other means.

Mr. Chairman, as you know, we are also involved in the National Narcotics Border Interdiction System (NNBIS). Since the inception of NNBIS, the U.S. Customs Service has been an active and enthusiastic participant. Our goal, and that of all participants, has been to produce the most cohesive and effective narcotics interdiction effort possible at the national level.

Customs executives currently direct the activities of three of the NNBIS Regional Centers. They are the Northern Border, Northeast and Southwest Regional Centers. We also have two personnel serving full-time on the Vice President's NNBIS staff and there are 37 personnel assigned full-time to the 6 NNBIS Regional Centers. These 39 personnel, from the Offices of Patrol, Investigations, Inspection & Control and Enforcement Support blend their unique expertise to accomplish the functions necessary for the successful integration of interdiction activities.

Customs participates in the planning and execution of special enforcement operations designed to utilize Customs resources to the maximum extent, in conjunction with Department of Defense resources, in our air and marine interdiction efforts.

The NNBIS coordinated special enforcement operations have been very successful. Air Force, Navy, and Marine Corps aircraft have been instrumental in the successful conclusion of 28 interdiction cases through April of this year. In one case, there was an E-3A AWACS training mission being conducted in the Gulf of Mexico. The AWACS alerted to an aircraft coming inbound at 500 feet squawking a 1236 law enforcement transponder. The E-3A notified the Tyndall ROCC, which communicated with the Houston Air Branch. When the first E-3A ran low on fuel, it passed the target off to another E-3A in the area which tracked the aircraft. Customs Air Branch launched on the target and made a successful intercept. Customs tracked the aircraft to its destination and seized it, a Cessna 206, along with 600 pounds of marijuana, and arrested two violators.

Success, often measured in seizures and arrests, may also be measured in improved interagency cooperation and new lines of communication at the Federal, state and local level. NNBIS has contributed to a more unified focus on the problems involved in narcotics interdiction.

The NNBIS program does not direct the activities of the participating agencies, but coordinates, or integrates, the self-initiated interdiction operations of the member agencies. Since these operations would normally be carried out by the agencies, a budget breakout in terms of manpower and dollars which delineates costs associated with NNBIS operations is not possible. Accordingly, the level of Customs resources for the NNBIS Program would be synonymous with the Customs enforcement resources overall.

Mr. Chairman, the Customs Service shares your concerns regarding the availability of narcotics in this country. As an adjunct to our direct interdiction program, there are legislative actions which would strengthen our efforts.

Mr. Chairman, you asked about our use of local police in ship searching activities. The U.S. Customs Service in all seaport areas, stresses continued liaison with all Federal, state, and local enforcement agencies. On a case-by-case basis, these enforcement entities do assist in the search of a ship or cargo and other seaport operations, but this is usually at their request and when information has been initially acquired by that agency. The Customs representatives at NNBIS will coordinate all future "special" seaport operations, when initiated by NNBIS, and coordinate such activity with the appropriate Federal, State and local enforcement agencies.

In another cooperative effort, the Drug Enforcement Administration (DEA) and Customs have reached an agreement on a new program concerning drug investigations. In very simplistic terms, the agreement involves the delegation of authority from one agency to the other. Customs agents can be cross-designated as DEA agents and become fully involved in all aspects of narcotics investigations. The reverse also applies, and DEA agents can be cross-designated as Customs agents for participation in Customs cases which might normally be considered outside their area of responsibility.

Since February 1984, when the agreement went into effect, there have been 55 cross-designations. At this time, 50 cross-designations are in effect, of which 44 are involved in the Florida Joint Task Force. The remaining 6 designees are involved in highly sensitive cases which we cannot discuss at this time. To date, this delegation of authority from one agency to the other has worked very smoothly, with little or no problems to speak of. We look forward to continued cooperation under the agreement.

Mr. Chairman, Customs and the entire law enforcement community are engaged in a war against narcotics. For the last 2 years, we have been mounting an ever increasing campaign against cocaine smuggling. While this campaign has met with a great deal of success, it has not been without costs, costs to Customs and the legitimate business concerns engaged in international trade and transportation.

Many individual companies, working on their own or working with us, have taken significant steps to tighten their controls and internal security. Throughout the country my field managers report outstanding support and cooperation from the trade and transportation community. This support is greatly appreciated.

In order to capatilize on this support and channel it into an even more concerted and effective effort, the Commissioner hosted a conference on April 18, 1984. Key officials from the White House and Federal enforcement agencies joined with representatives from importing and common carrier companies, to address the problem and discuss solutions which would be mutually acceptable.

Two major initiatives are now underway to restrict the flow of cocaine from Central and South America, and from Colombia in particular. With regard to our efforts directly aimed at Colombian smuggling activities, it must be pointed out that we are not engaged in a harassment program aimed at Colombia as a country, at Colombian manufacturers, or Colombian carriers.

Rather, we are working against smuggling activites which originate in Colombia. In this regard, we have undertaken a program of highly intensive examination of all passengers (and their baggage) arriving from Colombia, including non-Colombians and U.S. citizens. In addition, cargo arriving from Colombia is subject to 100 percent examination.

Another important program has been initiated with Eastern Airlines, one which we plan to extend to other common carriers. Seizures of cocaine from Eastern Airlines flights originating in South America have reached an enormous level. As I mentioned earlier, Customs has made 22 such seizures over the past 6 months. As a result of this, on April 24, 1984, an Eastern Airlines L-1011 was seized in Miami, Florida, after a shipment of cocaine was discovered onboard.

Following the seizure, the Commissioner talked with various Eastern Airlines officials, including its President, Colonel Frank Borman. Mr. Chairman, I am pleased to announce that a Landmark Agreement between the U.S. Customs Service and Eastern Airlines has been reached.

Customs officers will now train Eastern Airlines employees to identify suspect shipments which require further scrutiny by Customs. Eastern Airlines will conduct searches of their planes prior to departure from certain source countries. Customs officers and Eastern security officers will conduct joint surveys, identifying ways to better secure cargo, warehouses, and aircraft. These are only a few of the major areas of agreement.

I have instructed all Customs Field Managers to increase the involvement and cooperation between individual air carriers and the Customs Service. Field Managers have been instructed to develop individual agreements modeled after the Agreement with Eastern, for all other carriers, servicing high risk countries.

Mr. Chairman, the Customs Service agrees with and totally supports the Administration's three-prong approach to the nation's drug abuse problem, education, eradication, and enforcement.

Mr. Chairman, as I am sure you are aware, the issue of INS/Customs Inspection Consolidation has been discussed for many years as a means of providing a more efficient single-agency approach to the inspection of the more than 300 million persons admitted annually. Support for primary inspection consolidation was expressed by industry as well as by the "GRACE Commission," the President's private sector survey on cost control.

Various proposals for consolidation were prepared and considered at a meeting of the Cabinet Council on Management and Administration (CCMA) in November 1983. A proposal for Border Inspection Consolidation was approved by CCMA and subsequently by the President on January 5, 1984.

In general, the plan provides for the following: –

- Transfer responsibility for all airport and seaport passsenger processing to the U.S. Customs Service. This transfer would also include responsibility for primary processing at all overseas preclearance airport locations.

- Transfer responsibility for all land border passenger primary processing to the Immigration and Naturalization Service.

- Transfer responsibility for all Patrol functions between the land ports to INS.

Mr. Chairman, the benefits to the public and industry under the proposed reorganization are substantial.

- Facilitate the flow of passengers through all ports of entry.

- Standardize the Federal Inspection System.

- Expand and improve the use of technology and systems in supporting the inspection process.

- Eliminate overlap and duplication of efforts.

- Establish more efficient single-agency management.

- Consolidate and improve all air, sea, and land border control functions.

- Improve coordination of drug enforcement efforts.

Basically, Mr. Chairman, the consolidation would strengthen both alien and narcotics enforcement by fixing responsibility and establishing accountability within a single-agency, at and between every port of entry.

Under the proposed consolidation, there will be no effect upon the Customs Air Interdiction Program. All equipment and personnel associated with this program would remain under the direction and control of the Customs Service. Similarly, it will have virtually no effect on NNBIS, OCDE and the South Florida Task Force. No personnel will be withdrawn from these activities.

We expect that cost savings will result in the long-term, although the consolidation plan was not proposed with that expressed intent. Single agency management will result in cost avoidance by reduction in duplicate systems, staff, and overhead.

Obviously we have a long way to go before we will solve the problem of drug abuse in this country.

As a federal law enforcement official I do not pretend to have all of the answers to the many problems we, as a society, face in trying to combat drug abuse and related criminal activites, however, we at the Customs Service will do the very best possible job we can in this effort.

This concludes my formal statement. I would be happy to answer any questions you may have at this time.

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

TESTIMONY
BY
OLIVER B. REVELL
ASSISTANT DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
BEFORE THE
HOUSE SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL
WASHINGTON, D.C.
MAY 22, 1984

Chairman Rangel, members of the House Select Committee on Narcotics Abuse and Control, I would like to express my appreciation for the opportunity to provide you with information concerning the FBI's contribution to the National Drug Law Enforcement Effort.

The delegation of Concurrent Jurisdiction in Drug Matters to the FBI, and the role played by the FBI in drug law enforcement, can best be captured by a review of the Bureau's involvement in drug enforcement efforts since June, 1981.

Following the appointment of FBI Executive Assistant Director Francis M. Mullen, Jr., as Acting Administrator of DEA on June 22, 1981, at Director Webster and Mr. Mullen's direction, a contingency from the FBI and select DEA personnel were tasked with developing a joint FBI/DEA investigative strategy for narcotics enforcement. This Advisory Group developed several key recommendations which were presented to Judge Webster and Mr. Mullen. The most significant recommendations included: that the FBI be authorized investigative jurisdiction concerning matters within Title 21 of the U.S. Code; that the DEA Administrator be the Federal Government's principal narcotics enforcement official; however, remain under the general policy supervision of the Director, FBI; and further, that the personnel, administrative and enforcement policies of DEA be reviewed, restructured and rewritten as necessary to bring them more in line with existing FBI policy. These recommendations were released in a September 14, 1981, report by the Advisory Group to Mr. Mullen and Director Webster.

These events stimulated a transition of the Bureau's activities in narcotics enforcement from a limited role of providing intelligence information and other support services to a role of fully incorporating the FBI's structure, resources and expertise in organized crime and financial flow investigations into the overall Federal narcotics effort.

On January 21, 1982, Attorney General William French Smith issued an Order delegating to the FBI concurrent investigative jurisdiction of violations of the Comprehensive Drug Abuse Prevention and Control Act of 1970, also known as the Controlled Substance Act, Title 21, U.S. Code. The Order further stated that DEA was being placed under the general supervision of the Director, FBI, and that the Administrator of DEA would report to the Attorney General, through the Director, as appropriate. The Attorney General announced that this delegation of jurisdiction and reorganization was designed to augment the drug enforcement efforts of DEA by dedicating a portion of the FBI's manpower and resources, targeted against drug trafficking.

Over the next couple of months, the Department of Justice (DOJ), FBI and DEA personnel worked closely in drafting a statement that would clarify the complementary roles of FBI/DEA in this new arrangement. On March 12, 1982, a document entitled "Implementation Directive for Concurrent Drug Investigative Jurisdiction Between the Drug Enforcement Administration and the Federal Bureau of Investigation," commonly referred to as the "Blue Book," was released to provide guidance to Agents of both agencies to follow in their day-to-day activities. The book starts with the premise that the FBI would supplement and complement the efforts of DEA in jointly attacking the narcotics problem, the number one crime problem in America. The Directive goes on to iterate that DEA would continue to be "the primary architects of the Federal Drug Enforcement Program with the assistance and coordination of their FBI counterparts."

The Directive delineates the roles of the FBI and DEA by stating that the FBI will focus its resources on drug investigations involving traditional organized crime families; nontraditional organized criminal groups with violent propensities; ethnic organized crime groups that have a significant impact in an area of the country; and financiers as well as corrupt public officials who aid, assist or who are engaged in illegal criminal activities related to narcotics trafficking. DEA will continue to focus on investigations of major drug organizations, high-level smugglers, distributors, manufacturers and other priorities as established by DEA. The "Blue Book" further states that both agencies would buttress each other's investigative role by a cooperative exchange of intelligence information and informant development. The Directive noted that both agencies would pursue their investigative priorities utilizing the Continuing Criminal Enterprise (CCE) and Racketeer Influenced and Corrupt Organizations (RICO) Statutes and developing conspiracy investigations that would focus on the illegal enterprise rather than individual subjects. The Directive pointed out that this approach would emphasize the need to more frequently utilize civil and criminal forfeiture, thereby removing the economic assets that support the organization.

This document acknowledged that this type of investigative philosophy would require sophisticated investigative techniques including long-term undercover operations, Title III electronic surveillances, tracing the financial assets and the linkage of business operations, financial assets and subjects to solidify conspiracy cases.

The Implementation Directive contains a joint policy statement regarding the necessity of jointly coordinating investigations by the two agencies. The policy guidance encompasses, for both Headquarters and field personnel, investigative instructions regarding the sharing of investigative expenses; access to each other's index and intelligence systems; handling of informants; technical and laboratory support services; procedures to be followed in seizing assets; FBI handling of selected fugitive matters, administrative guidance regarding procedures in handling sensitive investigative techniques, i.e., allowing drugs to enter traffic, reverse undercover operations and use of sham or show narcotics.

Major issues that needed to be addressed immediately included the extent of manpower and other resources that the FBI might dedicate to narcotics matters. FBI management was cognizant of the inherent problems related to narcotics enforcement; specifically, that the nature of the work could cause an enormous resource drain at the expense of other investigative programs. As a result of this serious concern, the FBI established fieldwide criteria in opening narcotics investigations and set forth administrative controls, i.e., required FBIHQ approval to open a narcotics investigation, and Headquarters approval to purchase narcotics in a field investigation. This centralized management approach to narcotics was prescribed to ensure that quality investigations would be worked by field divisions based on national standards. These management controls also require that any drug investigation undertaken by the FBI requires notification to DEA in order to obtain existing intelligence information and make a joint assessment whether or not the particular case should be worked jointly or separately. DEA also is required to give notification to the FBI of investigations instituted by DEA to insure coordination and make use of existing FBI intelligence information.

Another area that FBIHQ and field SACs reviewed with close scrutiny involved the use of the "buy-bust" investigative technique by the FBI in narcotics investigations. It was the opinion of senior managers that in order to achieve the objective of reaching beyond street level dealers and distributors, that the "buy-bust" technique should not be used except in very selective situations, i.e., arrest of high echelon trafficker in possession of narcotics evidence or development of a cooperative subject. FBI policy requirements dictated that a purchase of narcotics evidence would be used to establish probable cause for search warrants, evidence for grand jury presentation and as a basis for application for electronic surveillance. The purchase of narcotics as an investigative method would not be used merely to acquire large quantities of controlled substances or taking narcotics off the street. This approach would be contrary to the concept of concentrating our resources to focus on the narcotics enterprise, financiers and corrupt public officials, by the use of long-term investigative techniques such as undercover operations, consensual monitoring and electronic surveillance with the expectation of developing narcotics conspiracy investigations.

These and other issues regarding the development of a Narcotics Program for the FBI and a responsible day-to-day working arrangement with DEA consumed a significant amount of time and effort during the first year of this relationship. This new responsibility for the FBI was particularly challenging because the FBI was given no new resources when the jurisdiction was conferred, and thus required that resources be drawn from other investigative programs. Despite the complexities of this project, the FBI became a full partner in a short time carrying more than 1200 narcotics investigations by January, 1983.

Over the last two years, the growth of our involvement in narcotics investigations has been significant. As of May 1, 1984, the FBI was involved in the investigation of 1,799 narcotics and dangerous drug cases. These cases represent a variety of organized criminal groups and trafficking patterns. To illustrate the various types of investigations being handled by the FBI, the following categories of cases are set forth to provide a clearer picture of the dimension of our investigative activities:

A.	Traditional Organized Crime/La Cosa Nostra (LCN) Related	175	39 *
B.	Non-Traditional Organized Crime	243	42 *
C.	Narcotics/Financial Flow	104	26 *
D.	International Trafficking Groups/Cartels	187	71 *
E.	Major Impact Significant Traffickers	673	113 *
F.	Corruption of Public and Law Enforcement Officials	81	11 *
G.	Other Narcotics-Related Matters	33	1 *
	TOTALS	1496	303

* Indicates the number of Task Force cases by category.

The total number of investigations currently being conducted in conjunction with DEA is 766. This latter figure points out the significance of our working relationship with DEA.

Another significant statistic bearing upon the FBI's overall effort in narcotics enforcement is the number of Title III electronic surveillances instituted in narcotics investigations. During Fiscal Year (FY) 1983, Title III electronic surveillance was instituted on 84 occasions, and extensions were obtained on 71 occasions for a total of 155 applications. During FY 1984 to date, Title III electronic surveillance was instituted on 93 occasions, and extensions were obtained 112 times during this period for a total of 205 applications. DEA has worked jointly with the Bureau in many of those cases. Additionally, it should be noted that over this two-year period, the level of manpower commitment devoted to narcotics matters has increased from slightly more than 100 Agents in Janurary 1982, to over 1,087 as of March, 1984.

We have attempted to concentrate these resources in areas consistent with the national priorities in narcotics enforcement. These areas include efforts directed against the LCN's extensive involvement in heroin importation; and the operation of outlaw motorcycle gangs throughout the United States in the manufacture and distribution of methamphetamines, PCP and other controlled substances.

These types of investigations have uncovered instances of corruption of both public and law enforcement officials and we are pursuing this corruption aspect aggressively. Extensive effort is being made on our part to develop investigations into the various international trafficking cartels that have had a major impact in both the cocaine and heroin trade in the United States. These groups include significant heroin traffickers who import directly from Southwest Asia; Western Europe, Sicily in particular; and major cocaine groups whose sources of drugs are in South and Central America. We are working with various components of the Treasury Department in an attempt to trace the flow of money from these operations in and out of this country.

On October 14, 1982, the President introduced a national program directed at organized crime and narcotics trafficking in the United States. The program known as the "Organized Crime Drug Enforcement (OCDE) Task Forces" called for the creation of drug task forces in 12 different areas of the country. These Task Forces were in addition to the South Florida Task Force that was created earlier and directed at interdiction efforts.

These new task forces, under the leadership of the Attorney General, are now fully operative and have brought to bear the combined resources of more than 1200 Agents and Prosecutors from the Department of Justice and Treasury, to combat organized crime and other major traffickers' involvement in drug abuse.

This initiative was also designed to provide for active participation by state and local law enforcement in the development of a national strategy for handling drug investigations of mutual interest.

The task force concept has received the support of the United States Congress and a substantial appropriation of funds was made available by the Congress for this undertaking. The allocation to the FBI has allowed us to replace 334 experienced Agents who were dedicated to narcotics enforcement upon receipt of concurrent jurisdiction, enhance technological capabilities and implement further automation efforts.

The emphasis is on coordination among prosecutors and investigators. For example, the task force utilizes the extensive undercover experience of DEA Agents, the expertise of the FBI in electronic surveillance and complex financial investigations, the full resources of the Internal Revenue Service in gathering evidence of unreported income and valuable intelligence information that the U.S. Customs Service receives in its day-to-day interdiction activities. The task force concept is designed to provide extensive support, where needed, from the U.S. Coast Guard and other branches of the armed services. The task forces are extensively using automated data processing equipment, micro-computers for major investigations and sophisticated communications equipment contributed by the participating military agencies. Aircraft surveillance in these narcotics investigations is as common as ground surveillance in our normal operations.

As of May 1, 1984, the FBI is currently participating in approximately 303 OCDE task force cases and has more than 556 Agents involved, on a full-time basis, in this Program. We do not expect instantaneous results; however, over the last few months several significant indictments and convictions have been achieved as a result of this Program.

Another major effort designed to curb the impact of the narcotics problem in the United States was announced by the White House in March, 1983. This program established the National Narcotics Border Interdiction System (NNBIS) with responsibility for coordinating the border interdiction efforts of all Federal agencies -- including Department of Defense -- and all participating state and local agencies.

The FBI is a member of NNBIS and provides a full-time liaison Agent and an intelligence analyst to each of the NNBIS regional offices. This Agent and analyst assist NNBIS by providing information to NNBIS for dissemination to appropriate Federal, state and local law enforcement agencies; facilitating the gathering and analysis of FBI intelligence information relative to interdiction matters; and, in coordination with DEA, is the point of contact for NNBIS in providing follow-up on cases within the Bureau's jurisdiction.

NNBIS is designed to complement the efforts of the OCDE task force and contribute measurably to the overall Federal effort directed against the narcotics problem. The additional resource represented by NNBIS' access to military participation constitutes a significant increase in the interdiction effort.

SIGNIFICANT INVESTIGATIONS

JULIO ZAVALA,
ET AL;

A case developed by the FBI's San Francisco and Los Angeles Offices illustrates the effectiveness of cooperation and coordination among many Federal and local law enforcement agencies under the OCDE Task Force concept. In this case, more than 200 kilos of cocaine were recovered while being off-loaded from a ship in the San Francisco Harbor. Twelve subjects were arrested and 5 weapons seized, including a semiautomatic shoulder weapon. A few weeks later, more than 150 pounds of cocaine were recovered while being off-loaded from a ship in the Los Angeles Harbor with 11 additional arrests. More than 200 law enforcement officers representing three local jurisdictions and OCDE Task Force agencies participated in those arrests and searches.

In excess of fifty subjects have been indicted. Twenty-nine of those indicted have entered pleas of guilty.

GUY ANTHONY DI GIROLAMO,
ET AL

In November 1981, the FBI initiated an investigation concerning the illegal activities of Guy Anthony Di Girolamo and his association with Montreal LCN boss Frank Santo Cotroni. By way of background, prior investigation established that while Di Girolamo was incarcerated at the Federal Penitentiary at Lewisburg, Pennsylvania, between 1975 and 1979, he developed a relationship with known narcotics traffickers, including Cotroni.

Pursuant to court-ordered wire intercepts, the New Haven Office of the FBI electronically intercepted three telephone numbers that were being used by Di Girolamo to contact Cotroni and his associates in this narcotics operation. As a result of these surveillances and other investigative techniques, a Federal grand jury returned a 3-count indictment on June 16th, 1983 charging Di Girolamo, his wife and their two sons with violations of Title 21, USC, Sections 841 (a)(1) (Distribution) and 846 (Conspiracy).

Additionally, on July 14, 1983, a Federal grand jury returned a 4-count indictment charging Cotroni, di Girolamo, Abbamonte and three other subjects with violations of Title 21, USC, pertaining to the failure to file the required documents relative to the transporting of currency outside the United States.

Canadian authorities have recently arrested Cotroni, and Di Girolamo was arrested by Bureau Agents in New Haven, Connecticut. Canadian and American authorities are now working out arrangements for the extradition of Cotroni.

FRANK CASTRONOVO,
GIUSEPPE GANCI, SALVATORE CATALANO,
GAETANO BADALAMENTI, ET AL

What has been described by the Attorney General as the most significant heroin investigation ever undertaken by the Department of Justice recently resulted in the indictment of over 50 subjects with additional indictments expected. On April 9, 1984, arrest and search warrants were executed in Illinois, Wisconsin, Pennsylvania, New Jersey, New York and Italy in connection with an international heroin importation conspiracy directed by the leadership of the New York-based Sicilian Faction of the Bonanno organized crime family and their counterparts, the Sicilian Mafia, located in and around Palermo, Sicily. These highly organized groups were using pizza parlors across the United States as a cover for their heroin distribution operations and extensive money laundering activities.

The warrants issued in this case were based on substantial probable cause that the principal subjects were involved in a racketeering enterprise. Search warrants were executed simultaneously and resulted in the seizure of narcotics, cash, jewelry, weapons, vehicles and voluminous narcotics and financial records. Numerous automatic weapons were seized and several weapons have been identified as the types used in professional contract killings. Additionally, several weapons were equipped with silencers and scopes. Further, bulletproof vests, flak jackets and a tranquilizer gun were part of the arsenal.

This investigation was conducted by the FBI, with significant assistance from the DEA, IRS, New York Police Department and with the close cooperation of Italian authorities. Italian officials conducted several companion investigations in Italy, resulting in the arrest of nine Italians thus far and the seizure of businesses and property valued in the tens of millions of dollars. These seizures were primarily based on the information exchanged between the FBI and Italian authorities.

The financial records gathered from this organization disclosed the magnitude of the financial empire controlled by the Badalamenti organized crime family in Sicily.

This investigation also achieved a milestone for Italian authorities in that the arrest of Badalamenti in Madrid, Spain, ended an intensive fugitive investigation by Italian authorities for their "most wanted fugitive." Badalamenti had been a fugitive from Italy since 1972.

This investigation is continuing and will focus on the organization's funneling of millions of dollars into financial institutions around the world. The investigation involved major contributions by law enforcement in the United States, Italy, France, Luxembourg, Belgium, Germany, Switzerland, Spain and Canada. More than 165 FBI Agents were committed at the height of this investigation and instituted the most extensive electronic and physical surveillances ever used in a narcotics matter.

Prosecutors and investigators are optimistic that the convictions obtained in this matter will have a serious disruptive effect on international heroin importation by Sicilian organized crime members.

I have provided an overview of the FBI's Narcotics Program and pointed out just a few of the significant narcotics investigations. I trust my remarks served to assist the Committee.

I want to thank the members of this Committee for allowing me to provide testimony on this significant topic.

I am now prepared to answer any questions you may have.

STATEMENT

OF

VICE ADMIRAL BENEDICT L. STABILE

VICE COMMANDANT, UNITED STATES COAST GUARD

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

MAY 22, 1984

MR. CHAIRMAN AND MEMBERS OF THE SELECT COMMITTEE, I AM VICE ADMIRAL BENEDICT STABILE, VICE COMMANDANT OF THE COAST GUARD. IT IS A PLEASURE TO BE HERE TODAY TO PARTICIPATE IN THIS PANEL WITH MY DISTINGUISHED COLLEAGUES TO DISCUSS WITH YOU THE EFFORTS OF OUR RESPECTIVE AGENCIES IN THE WAR AGAINST NARCOTICS TRAFFICKING.

DURING THE PAST YEAR ADMIRAL GRACEY, THE COMMANDANT, REAR ADMIRAL THOMPSON, WHO IS COMMANDER OF THE SEVENTH COAST GUARD DISTRICT IN FLORIDA AND COORDINATOR OF THE SOUTHEAST REGION OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS), AND REAR ADMIRAL STEWART, WHO IS COMMANDER OF THE EIGHTH COAST GUARD DISTRICT IN LOUISIANA AND COORDINATOR OF THE GULF REGION OF NNBIS, HAVE TESTIFIED BEFORE YOU EITHER HERE IN WASHINGTON OR IN FIELD HEARINGS. BECAUSE OF THIS RECENT TESTIMONY, I WILL NOT CONSUME THE COMMITTEE'S TIME TODAY REPEATING INFORMATION PREVIOUSLY PLACED BEFORE THE COMMITTEE. INSTEAD, I WOULD LIKE TO GIVE YOU SOME OVERALL IMPRESSIONS OF RECENT TRENDS WE HAVE NOTICED, AN UPDATE ON OUR PARTICIPATION IN NNBIS AND THE ATTORNEY GENERAL'S ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES, AS WELL AS A STATUS REPORT ON A CURRENT OPERATIONAL INITIATIVE.

FIRST THE TRENDS. IN CALENDAR YEAR 1982 THE COAST GUARD SEIZED 174 VESSELS CARRYING 3,471,005 POUNDS OF MARIJUANA. DURING 1983 OUR UNITS SEIZED 164 VESSELS CARRYING 2,314,806 POUNDS OF MARIJUANA. THIS DROP IN THE AMOUNT SEIZED HAS LED TO SPECULATION THAT WE HAVE APPARENTLY TURNED THE CORNER ON MARITIME NARCOTICS SMUGGLING. SUCH SPECULATION IS PREMATURE. THE DROP NOTICED LAST

YEAR SEEMS TO BE CLOSELY TIED TO A POOR GROWING SEASON THAT SHARPLY LIMITED PRODUCTION. THESE CONDITIONS DID NOT REOCCUR THIS YEAR, AND INDICATIONS ARE THAT THE PRESENT CROP HAS RETURNED TO LEVELS SEEN IN THE PAST. RECENT SEIZURE STATISTICS CONFIRM A RESURGENCE IN SMUGGLING ACTIVITY. COMPARING THE SEIZURE STATISTICS FOR THE FIRST TWO QUARTERS OF THE PAST THREE FISCAL YEARS WHICH COVERS THE FALL/WINTER SHIPPING SEASON WE FIND IN THIS PERIOD IN FY 82 THE COAST GUARD SEIZED 109 VESSELS AND 1,898,707 POUNDS OF MARIJUANA. IN THIS SAME PERIOD LAST FISCAL YEAR, WE SEIZED 60 VESSELS AND 1,083,068 POUNDS. THIS FISCAL YEAR BETWEEN OCTOBER AND THE END OF MARCH WE SEIZED 120 VESSELS AND 1,729,589 POUNDS - A LEVEL WHICH IS EQUIVALENT TO THE 1982 LEVEL. WHILE THE TREND SEEMS TO BE RETURNING TO THE HIGHER LEVELS OF SEIZURES EXPERIENCED IN THE PAST, IT IS STILL TOO EARLY TO DRAW FIRM CONCLUSIONS FROM THESE NUMBERS.

WE ARE ALSO SEEING TWO TRENDS WHICH MAY SIGNAL FURTHER EVOLUTION IN METHODS OF SMUGGLING. THE USE OF SECRET COMPARTMENTS IN MOTHERSHIPS SEEMS TO HAVE PEAKED OUT IN THE LAST FEW MONTHS AND MAY BE DECLINING. PERHAPS OUR SUCCESS IN DISCOVERING THEM HAS CONVINCED THE SMUGGLING COMMUNITY THAT THE PRICE OF CONVERTING VESSELS, AND THE RESULTING DECREASE IN THEIR CARGO-CARRYING CAPACITY, ARE NOT WORTH THE INVESTMENT. WE HAVE ALSO NOTICED AN INCREASE IN AIRDROPS WHERE LARGE TRANSPORT AIRCRAFT DROP BALES TO FAST CONTACT BOATS HOVERING IN THE WATERS OF THE WESTERN BAHAMAS. THE SPEED AND UNPREDICTABILITY OF THESE OPERATIONS MAKE THEM EXTREMELY DIFFICULT TO COUNTER. WE HAVE ENJOYED SOME SUCCESS IN

THIS AREA USING OUR SURFACE EFFECT SHIP SQUADRON AND THE NAVY HYDROFOILS (PHM'S) BASED IN KEY WEST, BUT THE PROBLEM REMAINS A SERIOUS ONE. BETTER INTELLIGENCE REMAINS THE KEY TO COMBATTING THIS METHOD OF DELIVERY.

DURING THE PAST YEAR IMPROVEMENTS HAVE BEEN MADE IN THE COLLECTION, EVALUATION, AND DISSEMINATION OF INTELLIGENCE. ADMIRAL GRACEY TESTIFIED BEFORE YOUR COMMITTEE ON THE CLASSIFIED ASPECTS OF THE COAST GUARD'S DRUG INTERDICTION PROGRAM ON APRIL 4TH OF THIS YEAR. DURING THAT BRIEFING HE STATED THAT IMPROVED INTELLIGENCE IS A VERY IMPORTANT FACTOR IN INCREASING OUR INTERDICTION EFFECTIVENESS. OUR MOST CRITICAL NEED IS TIMELY AND ACCURATE INFORMATION ON THE NUMBER, IDENTITY, LOCATION AND DESTINATION OF VESSELS AND AIRCRAFT BOUND FOR THE U. S. CARRYING CONTRABAND. WE HAVE RECENTLY EXPANDED COAST GUARD INTELLIGENCE ACTIVITIES BY INCREASING OUR ABILITY TO PROCESS INFORMATION FROM COAST GUARD, OTHER FEDERAL AGENCIES, AND NATIONAL INTELLIGENCE COMMUNITY SOURCES. WE ARE ALSO CONTINUING OUR LIAISON WITH THE LAW ENFORCEMENT COMMUNITY'S INTELLIGENCE NETWORK. ONLY THROUGH THE MELDING OF ALL THESE AVAILABLE SOURCES OF INTELLIGENCE CAN WE EFFICIENTLY IDENTIFY, LOCATE, TRACK, AND INTERDICT SMUGGLERS.

ALONG WITH EXPANDING OUR INTELLIGENCE COLLECTION PROGRAMS, WE HAVE DEVELOPED A STAFF OF TRAINED PERSONNEL TO EXPLOIT THIS INFORMATION AND ENSURE ITS TIMELY FLOW TO OUR OPERATIONAL COMMANDERS. WE ARE ESTABLISHING AN INTELLIGENCE COORDINATION CENTER AT COAST GUARD HEADQUARTERS TO ACCOMPLISH THIS. WHEN

FULLY OPERATIONAL, THIS CENTER WILL MAINTAIN A 24-HOUR ALL-SOURCE INTELLIGENCE WATCH TO EXPLOIT ALL INTELLIGENCE SYSTEMS AVAILABLE TO THE COAST GUARD. THIS CENTER IS STILL UNDER CONSTRUCTION, BUT IS ALREADY PRODUCING INTELLIGENCE PRODUCTS TAILORED TO THE NEEDS OF OUR OPERATIONAL COMMANDERS. OUR AREA COMMANDERS' STAFFS HAVE ALSO BEEN EXPANDED BY ADDING ADDITIONAL INTELLIGENCE - TRAINED PERSONNEL. THESE STAFFS IN NEW YORK AND SAN FRANCISCO FUNCTION AS COLLECTION MANAGERS, AND ENSURE THE TIMELY DISSEMINATION OF INFORMATION TO OUR FIELD COMMANDERS AS WELL AS TO OTHER LAW ENFORCEMENT AGENCIES.

PART OF OUR IMPROVEMENTS IN THE INTELLIGENCE AREA HAVE COME ABOUT DUE TO OUR ACTIVE PARTICIPATION IN BOTH THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS) AND THE ATTORNEY GENERAL'S ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDETF'S). I WOULD NOW LIKE TO BRIEFLY SUMMARIZE OUR INVOLVEMENT IN BOTH OF THESE INITIATIVES.

THE COAST GUARD HAS BEEN INVOLVED SINCE THE VERY BEGINNING OF THE OCDETF PROGRAM. OUR CHIEF OF OPERATIONS IS A MEMBER OF THE OCDETF WORKING GROUP, AND HAS PARTICIPATED IN THE DECISION-MAKING PROCESSES WHICH HAVE DEFINED THE PROGRAM. WE HAVE ALSO PROVIDED AGENCY COORDINATORS TO 11 OF THE EXISTING 12 TASK FORCES, AND ONE OF OUR OFFICERS WILL SERVE AS COAST GUARD AGENCY COORDINATOR FOR THE MIAMI OCDETF WHEN IT FORMS LATER THIS SUMMER. THESE AGENCY COORDINATORS VARY IN BACKGROUND AND TYPES OF SKILLS BASED ON THE SPECIFIC NEEDS AS EXPRESSED BY THE U. S. ATTORNEYS HEADING EACH

OCDETF. IN ADDITION TO ASSISTING IN THE INVESTIGATION OF THE CASES BEING TARGETED BY THE OCDETF'S AND COORDINATING REQUESTS FOR ADDITIONAL COAST GUARD ASSISTANCE, OUR COORDINATORS HAVE THE OPPORTUNITY TO EVALUATE THESE CASES FOR USEFUL INTELLIGENCE THAT, IN TURN, CAN GENERATE ADDITIONAL INTERDICTIONS.

OUR INVOLVEMENT IN NNBIS LIKEWISE DATES BACK TO THE EARLIEST DAYS OF THE PROGRAM. AS I AM SURE YOU ARE AWARE, SECRETARY DOLE IS A MEMBER OF THE NNBIS EXECUTIVE BOARD, AND ADMIRAL GRACEY SERVES AS A MEMBER OF THE COORDINATION BOARD. THREE OF THE SIX NNBIS REGIONAL COORDINATORS ARE COAST GUARD OFFICERS WHO ALSO COMMAND THE COAST GUARD DISTRICT PRIMARILY INVOLVED. ADDITIONALLY, THE DIRECTOR OF THE NNBIS STAFF AT THE WHITE HOUSE IS A COAST GUARD OFFICER. WE ARE VERY PLEASED WITH THE RESULTS OF NNBIS TO DATE. NNBIS HAS PROVIDED US WITH A NEW FORUM FOR REQUESTING ASSISTANCE FROM OTHER SOURCES AND AGENCIES. IT HAS ALSO PROVEN TO BE A VALUABLE MECHANISM TO FACILITATE THE COLLECTION OF INTELLIGENCE PREVIOUSLY UNAVAILABLE TO US.

OPERATIONALLY WE ARE INVOLVED WITH THE U. S. CUSTOMS SERVICE IN AN EVALUATION OF A NEW TECHNOLOGY THAT APPEARS TO HOLD PROMISE FOR THE FUTURE. THIS EVALUATION INVOLVES THE USE OF A TETHERED AEROSTAT RADAR. THE SYSTEM CURRENTLY UNDER EVALUATION CONSISTS OF A SMALL BLIMP EQUIPPED WITH A SURFACE SEARCH RADAR TETHERED TO A LEASED 195-FOOT OFFSHORE SUPPLY VESSEL (SUPPORT SHIP). THE BLIMP LIFTS THE RADAR TO A SUFFICIENT ALTITUDE TO GREATLY INCREASE ITS RANGE. THIS AEROSTAT PLATFORM IS PART OF A COORDINATED OPERATION, PASSING

THE SURFACE TARGET INFORMATION IT GENERATES TO A COMMAND AND CONTROL CUTTER FOR EVALUATION AND DEPLOYMENT OF OTHER ASSIGNED UNITS, BOTH SURFACE AND AIR. BY THE TIME ALL TESTS OF THIS SYSTEM HAVE BEEN CARRIED OUT, WE WILL HAVE AN EVALUATION OF THE TETHERED AEROSTAT'S EFFECTIVENESS IN THE MONA, WINDWARD, AND YUCATAN PASSES.

THE INITIAL RESULTS OF THIS TEST HAVE BEEN PROMISING, DESPITE THE RELATIVELY LIMITED CAPABILITY OF THE RADAR SET USED. WE HAVE LEARNED FROM THIS TEST THAT SIGNIFICANTLY GREATER GENERAL TRAFFIC FLOW IS OCCURRING THROUGH THE PASSES THAN PREVIOUSLY THOUGHT. THE CONTINUOUS LARGE AREA RADAR COVERAGE POSSIBLE WITH THIS SYSTEM CAN SIGNIFICANTLY ENHANCE OUR LAW ENFORCEMENT EFFORTS. THE SPECIFIC MISSION OBJECTIVE WE WANT TO ACHIEVE IS MAKING BETTER USE OF AVAILABLE RESOURCES BY REDUCING THE SHIP AND AIRCRAFT TIME DEVOTED TO THE SEARCH PHASE OF THE MARITIME INTERDICTION PROCESS, THUS FREEING CUTTERS FOR CONTACT INTERCEPT, IDENTIFICATION, AND BOARDING. DURING THE AEROSTAT EVALUATION, CUTTERS AND AIRCRAFT WERE EFFICIENTLY VECTORED TO IDENTIFY MORE TARGETS OF INTEREST THAN HAS PREVIOUSLY BEEN POSSIBLE. PRIOR TO THE AEROSTAT, OUR ABILITY TO SEARCH LARGE AREAS WAS LIMITED SEVERELY BY THE NUMBER OF SHIPS WE COULD ASSIGN SIMULTANEOUSLY TO A GIVEN PASS, OR BY THE ON-SCENE ENDURANCE OF ASSIGNED SEARCH AIRCRAFT. AEROSTAT EASES THESE CONSTRAINTS BY PROVIDING A TOOL THAT EFFICIENTLY SEARCHES HUGE AREAS FOR PROLONGED PERIODS OF TIME. PRELIMINARY TEST RESULTS DEMONSTRATE THAT AEROSTATS CAN BE EFFECTIVELY USED AS FORCE MULTIPLIERS, ALLOWING OUR SHIPS TO BE USED FOR TARGET INTERCEPTS AND BOARDINGS, RATHER THAN FOR LENGTHY

SEARCHES. OUR SEARCH AIRCRAFT ARE LIKEWISE FREED TO PERFORM OTHER MISSIONS HERETOFORE IMPOSSIBLE TO ACCOMPLISH. AEROSTAT WILL NOT REPLACE OUR CUTTERS AND AIRCRAFT. HOWEVER, IT DOES ALLOW US TO USE THEM MUCH MORE EFFICIENTLY.

TWO SPECIFIC LAW ENFORCEMENT ACTIONS RESULTED DURING THE PRELIMINARY EVALUATION PERIOD. ONE INVOLVED THE DETECTION AND INTERCEPTION OF A SMALL BOAT CARRYING 30 ILLEGAL MIGRANTS FROM THE DOMINICAN REPUBLIC TO PUERTO RICO. THE SECOND CASE INVOLVED THE INTERCEPTION AND SUBSEQUENT SEIZURE OF A FISHING VESSEL CARRYING A LARGE QUANTITY OF MARIJUANA. BOTH OF THESE VESSELS WERE DETECTED AS A DIRECT RESULT OF THE ABILITY OF THE AEROSTAT TO SEE TARGETS FAR BEYOND THE RANGE OF NORMAL SHIPBOARD RADAR.

THE FIRST PHASE OF THE OPERATIONAL EVALUATION BEGAN ON MARCH 3RD, AND WAS COMPLETED ON MAY 10TH. WE ARE CURRENTLY NEGOTIATING AN EXTENSION OF THE CONTRACT WHICH WILL CONTINUE THIS TEST FOR AT LEAST ANOTHER MONTH. UPON RECEIPT OF THE FINAL RESEARCH AND DEVELOPMENT REPORT ON POTENTIAL IMPROVEMENTS, DEPLOYMENT, AND COST/BENEFITS, A DECISION WILL BE MADE AS TO WHETHER THE COAST GUARD SHOULD INCORPORATE THIS SYSTEM INTO OUR LONG-TERM EFFORTS. AT PRESENT EVERY INDICATION POINTS TO ITS VALUE, BUT A FINAL DECISION WILL NOT BE MADE UNTIL ALL THE FACTS ARE IN.

ANOTHER ITEM OF NEW TECHNOLOGY IS ALMOST READY TO ASSIST OUR OCEAN SURVEILLANCE CAPABILITY. THE FIRST AIREYE SYSTEM FOR OUR HU-25A AIRCRAFT HAS JUST STARTED FLIGHT TESTING AT THE CONTRACTOR'S FACILITY IN ONTARIO CALIFORNIA. AIREYE WILL GREATLY EXTEND THE SURVEILLANCE EFFECTIVENESS OF THE HU-25A. ITS SIDE LOOKING RADAR WILL PROVIDE EXTENDED SEARCH CAPABILITY AND THE ACTIVE GATED TELEVISION WILL ALLOW US TO IDENTIFY TARGET VESSELS AND RECORD THEIR ACTIVITIES IN DAY OR NIGHT. THE FIRST AIREYE SYSTEM SHOULD BE OPERATIONAL AT AIR STATION MIAMI THIS FALL.

THIS CONCLUDES MY PREPARED TESTIMONY MR. CHAIRMAN. I WILL BE HAPPY TO ANSWER ANY QUESTIONS.

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